

PROCEEDINGS OF THE COMMON COUNCIL
IN REGULAR SESSION
TUESDAY, MARCH 9 1982

CITY OF FORT WAYNE, INDIANA
JOURNAL OF THE PROCEEDINGS
OF THE COMMON COUNCIL

THE COMMON COUNCIL OF THE CITY OF FORT WAYNE MET IN THE
COUNCIL CHAMBERS Tuesday EVENING March 9 A.D., 19 82,
IN Regular SESSION. PRESIDENT Samuel J. Talarico
John H. Logan, Council Attorney
IN THE CHAIR, AND Charles W. Westerman CLERK, AT THE DESK,
PRESENT THE FOLLOWING MEMBERS _____ VIZ:
BRADBURY _____, BURNS _____, EISBART _____,
GIAQUINTA _____, NUCKOLS A _____, SCHMIDT _____,
SCHOMBURG _____, STIER _____, TALARICO _____,
ABSENT _____
COUNCILMAN _____, _____, _____,
_____, _____, _____,
THE INVOCATION WAS GIVEN BY _____

RECEIVED REPORT FROM THE CITY CONTROLLER FOR THE MONTH OF
_____, 19 _____. MOTION MADE AND CARRIED THAT REPORT BE MADE
A MATTER OF RECORD AND PLACED ON FILE.

THE MINUTES OF THE LAST REGULAR February 23, 19 82,
_____, 19 _____,
SPECIAL _____, 19 _____,
SESSION HAVING BEEN DELIVERED TO THE COUNCIL, WERE, ON MOTION, APPROVED
AND PUBLISHED.



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

23 February 1982

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

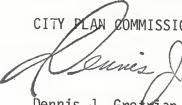

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-81-12-36

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
23rd day of February 1982.

 
Dennis J. Groetman
Secretary

1982
DATE _____
CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

23 February 1982

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held February 22, 1982. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-81-12-36
2. From R-2 to B-3-B
3. Intended Use: Expand Precision Litho Plate, Inc.
4. Plan Commission Recommendation: DO PASS

This ordinance was given a DO PASS recommendation for the following reason and with the following conditions:

REASON:

This request represents a logical extension of an existing commercial district that will be of substantial benefit to the neighborhood and the city as a whole.

CONDITIONS:

- a. All commercial building development should respect the established residential building line along Wells Street.
- b. No commercial building shall be built closer than three (3) feet to any adjacent residential district or use.
- c. Any identification sign shall be flush mounted.
- d. All street trees in the park strip along Wells Street be retained.
- e. All front yard areas shall include appropriate landscaping such as trees, shrubs, maintained lawn areas, etc., which compliment the site and surrounding neighborhood environment.

Page two

NOTE: The petitioner has agreed to all of the conditions.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RECOMMENDATION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 22, 1981 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-12-36; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

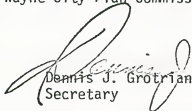
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 18, 1982;


NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

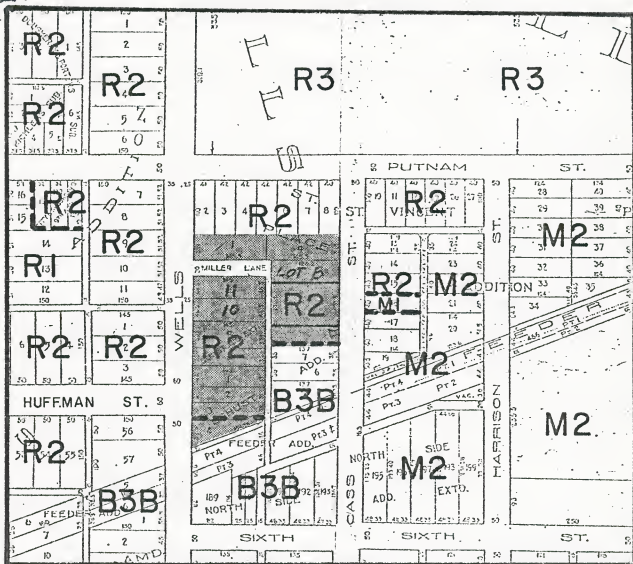
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.


This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 22, 1982.

Certified and signed this
23rd day of February 1982.


Dennis J. Grotzian
Secretary





 ZONING RECLASSIFICATION FROM AN R2 TO A B3B DISTRICT.

MAP NO. L-14

Z-81-12-36

BY G.R. LAX 12-1-81





THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

23 February 1982

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-81-12-37

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
23rd day of February 1982.


Dennis J. Grotzian
Secretary

3-9-82
MADE A MATTER OF RECORD
- CHARLES W. VANCE, CLERK
DATE



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

23 February 1982

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a resolution pertaining to a zoning ordinance amendment acted upon by the City Plan Commission at their meeting held February 22, 1982. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance:

1. Bill No. Z-81-12-37
2. From B-1-A to B-1-B
3. Intended Use: Music Store
4. Plan Commission Recommendation: DO PASS

This ordinance received a DO PASS recommendation for the following reason:

- a. The property is presently zoned B-1-A - Limited Business and is located between a service station and a doctor's office. The doctor's office serves as a buffer between this use and the residential uses to the east. It is our recommendation that this rezoning will have no adverse impact because of its location.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING

Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 22, 1981, referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-12-37; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

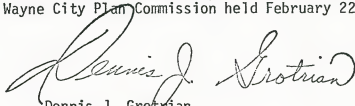
WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 18, 1982;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 22, 1981.

Certified and signed this
23rd day of February 1982.


Dennis J. Grotrian
Secretary



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 March 1982

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

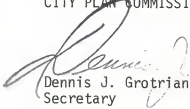
Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the amendment of the Zoning Ordinance (General Ordinance No. G-06-80, amending Chapter 33 of the Municipal Code of the City of Fort Wayne, Indiana, 1946). The proposed ordinance is designated as:

BILL NO. Z-81-12-35

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of March 1982.


Dennis J. Grotrian
Secretary

3-9-82
MADE A MATTER OF RECORD
DATE _____ CHARLES W. WESTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 March 1982

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) zoning ordinance amendment acted upon by the City Plan Commission at their regular meeting held February 22, 1982. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. Z-81-12-35
2. From R-3 to R-1
3. Intended Use: Single Family Residences
4. Plan Commission Recommendation: DO PASS

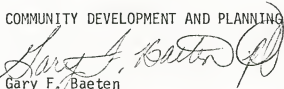
This ordinance received a DO PASS recommendation for the following reason:

- a. The downzoning request will aid in the stabilization of a viable residential neighborhood.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT AND PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RESOLUTION OF ZONING ORDINANCE AMENDMENT RECOMMENDATION

WHEREAS, the Common Council of the City of Fort Wayne, Indiana, on December 22, 1981 referred a proposed zoning map amendment to the City Plan Commission which proposed ordinance was designated as Bill No. Z-81-12-35; and,

WHEREAS, the required notice of public hearing on such proposed ordinance has been published as required by law; and,

WHEREAS, the City Plan Commission conducted a public hearing on such proposed ordinance on January 18, 1982;

NOW THEREFORE, BE IT RESOLVED that the City Plan Commission does hereby recommend that such proposed ordinance DO PASS for the reasons that a need has been shown for the Land Use Plan to be amended, the amendment will be in the best interest of and benefit to the area involved and of and to the City, and the amendment will not be detrimental to and does not conflict with the overall City Plan;

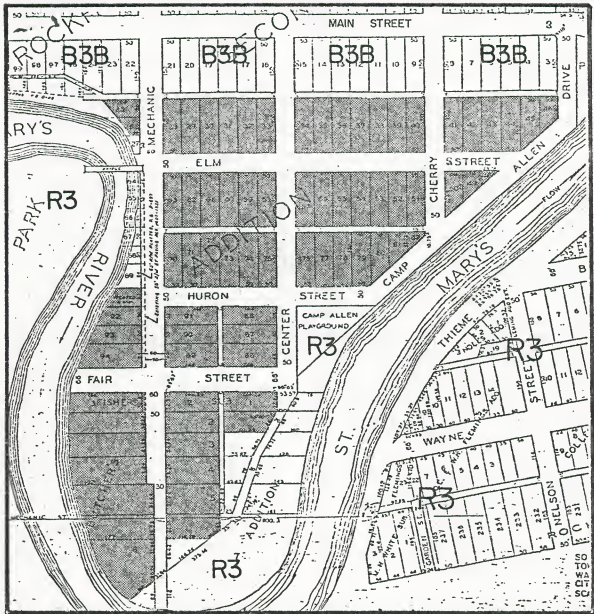
BE IT FURTHER RESOLVED that the Secretary is hereby directed to present a copy of this resolution to the Common Council at its next regular meeting.

This is to certify that the above is a true and exact copy of a resolution adopted at the meeting of the Fort Wayne City Plan Commission held February 22, 1982.

Certified and signed this
1st day of March 1982.

A handwritten signature in cursive script, appearing to read "Dennis J. Grotrian".

Dennis J. Grotrian
Secretary



 ZONING RECLASSIFICATION APPEAL FROM AN R-3 DISTRICT TO AN R-1 DISTRICT.

MAP NO. K-6

12-15-81

Z-81-12-35



BY M.A. GECOWETS



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 March 1982

COMMUNICATIONS FROM THE CITY PLAN COMMISSION

The Common Council of the
City of Fort Wayne
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is the recommendation of the City Plan Commission on one (1) ordinance concerning the vacation of a dedicated utility easement.

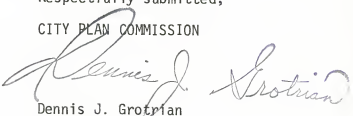
The proposed ordinance is designated as:

BILL NO. G-82-01-18

Respectfully submitted,

CITY PLAN COMMISSION

Certified and signed this
1st day of March 1982.


Dennis J. Grotrian
Secretary

3-9-82
MADE A MATTER OF RECORD
DATE _____ CHARLES W. VALSTERMAN, CITY CLERK



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

1 March 1982

Members of the Common Council
City-County Building
One Main Street
Fort Wayne, IN 46802

Gentlemen and Mrs. Bradbury:

Attached hereto is a copy of a resolution pertaining to one (1) utility easement vacation acted upon by the City Plan Commission at their regular meeting held February 22, 1982. In addition to the reasons outlined in the resolution, the following are additional remarks pertaining to the ordinance involved.

1. Bill No. G-82-01-18
2. Intended Use: There is a house encroaching into this portion of the easement.
3. Plan Commission Recommendation: DO PASS

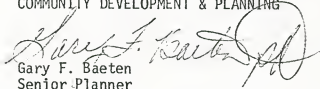
This ordinance received a DO PASS recommendation for the following reason:

- a. The easement which is proposed to be vacated is not needed to provide utilities to the property.

If there are any questions with regard to this ordinance, please feel free to call on us.

Respectfully submitted,

COMMUNITY DEVELOPMENT & PLANNING


Gary F. Baeten
Senior Planner

GFB:pb

Attachments

RESOLUTION

WHEREAS, DELAGRANGE CONSTRUCTION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public utility easement situated in Fort Wayne, Allen County, to-wit:

The west one (1) foot of a seven (7) foot utility easement located on and along the east property line of lot number six (6) of Breconshire, Section one (1) and beginning at a point thirty (30) feet north of the Breconshire Drive north right-of-way line as measured along the west edge of the existing subject easement, and extending northward on and along the west edge of the existing subject easement for a distance of fifty (50) feet

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said public hearing was held on February 8, 1982, at 7:00 P.M., and at such hearing there were no objections of any kind or character which should prevent the vacation of said public easement.

WHEREAS, said vacation of the easement has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Street Light Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne City Plan Commission that the vacation of said easement hereinbefore described conforms to the general policy pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana;

BE IT FURTHER RESOLVED by the Fort Wayne City Plan Commission that the vacation of said public easement hereinbefore described be and the same is hereby approved.

BE IT FURTHER RESOLVED no public utility occupying and using said public easement or part thereof for the vacation and operation of its utility facilities shall be deprived of said use on account of these proceedings unless any said utility shall file a written consent to said vacation.

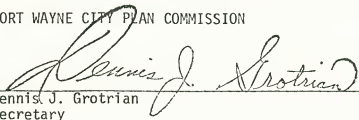
BE IT FURTHER RESOLVED that the action of the Fort Wayne City Plan Commission be forwarded to the proper governing body having jurisdiction of the vacation of an easement in Allen County, Indiana.

STATE OF INDIANA) }
COUNTY OF ALLEN) SS:

I, Dennis J. Grotrian, Secretary of the Fort Wayne City Plan Commission, do hereby certify that attached is a full, true and correct copy of a resolution adopted by the Fort Wayne City Plan Commission following a public hearing of said Commission held February 22, 1982, and as same appears of record in the official records of said Plan Commission.

DATED THIS 2nd DAY OF March 19 82

FORT WAYNE CITY PLAN COMMISSION


Dennis J. Grotrian
Secretary

11-1117-11
2/24/82

R E S O L U T I O N 71-197-11

WHEREAS, DELAGRANGE CONSTRUCTION has petitioned and requested the Fort Wayne City Plan Commission to hold a public hearing upon the vacation of the following public utility easement situated in Fort Wayne, Allen County, to-wit:

The west one (1) foot of a seven (7) foot utility easement located on and along the east property line of lot number six (6) of Breconshire, Section one (1) and beginning at a point thirty (30) feet north of the Breconshire Drive north right-of-way line as measured along the west edge of the existing subject easement, and extending northward on and along the west edge of the existing subject easement for a distance of fifty (50) feet

all in accordance with the terms of Section 44, Chapter 174 of the Acts of 1947, of the General Assembly of the State of Indiana, as amended by Section 3 of Chapter 385 of the Acts of the General Assembly of the State of Indiana, Indiana Code Section 36-7-4-512; and,

WHEREAS, notice of such public hearing has been given by due and proper publication thereof;

WHEREAS, said vacation of public utility has been routed through the following departments: Street Engineering, Traffic Engineering, Water Engineering, Water Pollution Control Engineering, Electrical Engineering, Park Board and through the Public Utility Companies.

NOW THEREFORE, BE IT RESOLVED by the Fort Wayne Board of Public Works that the vacation of said public utility easement hereinbefore described conforms to the general policy and pattern of development set out in the Master Plan of the City of Fort Wayne, Indiana.

BE IT FURTHER RESOLVED by the Board of Public Works that the vacation of said public utility easement hereinbefore described be and the same is hereby approved subject to easements as required by all public utilities occupying and using said public utility easement or part thereof for the vacation and operation of its utility facilities shall not be deprived of said use on account of these proceedings unless any said utilities shall file a written consent to said vacation.

STATE OF INDIANA)
COUNTY OF ALLEN) SS:

I, Stephen A. Bailey, Chairman of the Board of Public Works, do hereby certify that attached hereto is a full, true and correct copy of a resolution adopted by the Fort Wayne Board of Works at their meeting held February 24, 1982 and as same appears of record in the official records of said Board of Public Works.

DATED THIS 24th DAY OF February 1982.

FORT WAYNE BOARD OF PUBLIC WORKS

Stephen A. Bailey
Stephen A. Bailey, Chairman

Robert Anderson
Robert Anderson-Staten, Member

ATTEST:

Sandra E. Kennedy
Sandra E. Kennedy, Clerk

Betty R. Collins
Betty R. Collins, Member



THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

city plan commission

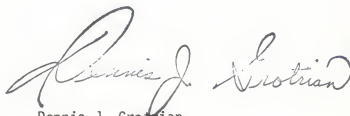
26 February 1982

TO: Common Council
City of Fort Wayne

RESOLUTION
OF THE
CITY PLAN COMMISSION

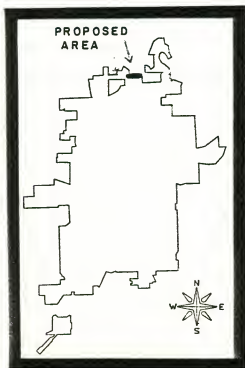
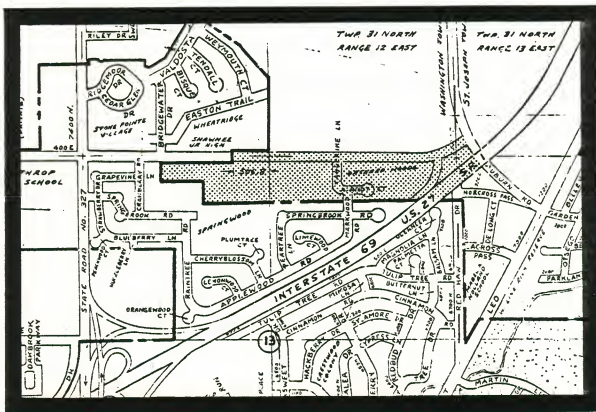
BE IT HEREBY RESOLVED that the City Plan Commission on February 22, 1982 recommended DO PASS for the Orchard Woods annexation. Annexation Bill No. X-81-12-25 and Resolution No. R-81-12-26.

Certified and signed this
26th day of February 1982.


Dennis J. Grotrian
Secretary

3-9-82
MADE A MATTER OF RECORD
CHARLES W. JOHNSON, CITY CLERK
DATE _____

ORCHARD WOODS ANNEXATION FISCAL PLAN



DEPARTMENT OF COMMUNITY
DEVELOPMENT AND
PLANNING



PREFACE

The Orchard Woods Annexation Area is located north of the City of Fort Wayne (see Figure 1). Twenty-five years ago the area was predominantly rural in nature. However, with the continued growth of the City, the Orchard Woods area is now in a transitional phase--increasingly becoming more urban and less rural.

As an area is transformed from a rural environment to an urban one, planning problems can become particularly acute, especially if the area continues to be governed by predominantly rural ordinances. In order to promote orderly growth which is compatible with the existing urban environment, it is important that transitional areas like Orchard Woods become part of the City.

Recognizing the importance of efficient and compatible growth, the State Legislature has created a mechanism (annexation) which enables cities to combat some of the problems of urban growth. However, in order to ensure that the annexation process is equitable, the Legislature has created a specific list of requirements which must be met if a valid annexation is to occur. The Orchard Woods annexation conforms to these requirements in that the annexation area is at least twenty-five percent contiguous to the City and that it is needed and can be used by the City for its future growth and development. In addition, the state law requires that a written fiscal plan be prepared. This report, which will examine the financial impact of the Orchard Woods annexation upon the City and which will provide a record of the costs and the methods of providing and financing urban services to the annexation area, will meet the Fiscal Plan requirements stipulated by state statute.

TABLE OF CONTENTS

SECTION I: BASIC DATA

A. Location.....	1
B. Size.....	1
C. Population.....	1
D. Buildings.....	1
E. Land Use.....	1
F. Zoning.....	1

SECTION II: PLANNING

A. State Law.....	2
B. Ccntiguity.....	2
C. The Comprehensive Annexation Program.....	3
D. Area Development.....	4
E. Future Development	4
F. Planning Ccntrol.....	8
G. Service Provision.....	10
H. Summary.....	10

SECTION III: MUNICIPAL SERVICES

A. Police.....	12
B. Fire.....	13
C. EMS.....	14
D. Solid Waste Disposal.....	14
E. Traffic Control.....	15
F. Streets and Roads.....	16
G. Parks.....	17
H. Water.....	18
I. Fire Hydrants.....	18
J. Sanitary Sewers.....	19
K. Storm Sewers.....	19
L. General Administration.....	20
M. Street Lighting.....	20

SECTION IV: FINANCIAL SUMMARY

A. Revenues.....	21
B. Expenditures.....	22
C. Five Year Summary.....	22

SECTION V: SUMMARY AND RECOMMENDATION

A. Indiana Annexation Statutes.....	25
B. Fcrt Wayne Annexation Policy.....	26

Section One - Basic Data

A. LOCATION

The area proposed for annexation is located north of the City of Fort Wayne and is bounded on the north by Cook Road, on the east by Auburn Road and I-69, and on the south and west by the City. Figure 1 shows the annexation area in more detail.

B. SIZE

The Orchard Woods Annexation Area encompasses approximately 74 acres.

C. POPULATION

Advanced report figures from the 1980 Census of Population and Housing show that there are 2.61 persons per dwelling unit in the part of Washington Township that is outside of Fort Wayne. Multiplying this figure by the 47 dwelling units that are in the annexation area, we estimate that there are 123 people in this area. This is approximately 1.66 persons per acre.

D. BUILDINGS

Type	Number
Single Family Units	33
Multiple-Family Units	14
Commercial Units	3
Institutional Units	2

E. LAND USE

Type	Acres	Percent
Residential	33	45%
Commercial	3	4%
Agricultural/Vacant	11	15%
Institutional	15	20%
Streets	12	16%

F. ZONING

The present county zoning for this area is RS-1 (Suburban Residential). Upon annexation, the land will be in the territorial jurisdiction of the City Plan Commission and will be zoned R-1 (Single-Family Residential).

Section Two – Planning

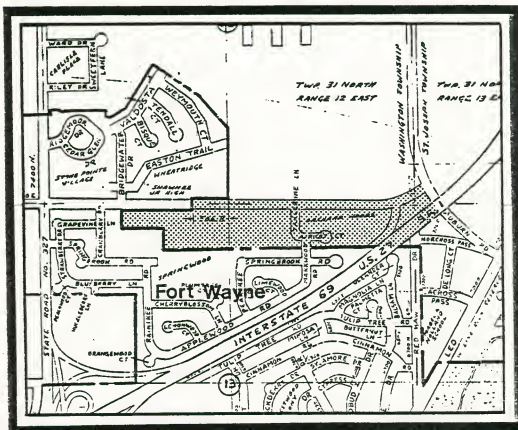
A. STATE LAW

The Orchard Woods area is being annexed under the criteria that "at least one fourth of the aggregate external boundaries sought to be annexed coincides with the boundaries of the municipality; and that the territory sought to be annexed is needed and can be used by the municipality for its development in the reasonably near future" (IC-36.4-3-13). This section will explain how the annexation area meets this criteria and why the annexation will be in the best interests of both the area residents and the City.

B. CONTIGUITY

Orchard Woods is bounded on the south and west, and partially on the north by the City of Fort Wayne. Sixty percent of its aggregate boundaries are contiguous with the City. If the Concordia Gardens annexation case is decided in favor of the City, approximately 70% of the annexation area will be contiguous to the City.

Figure 1

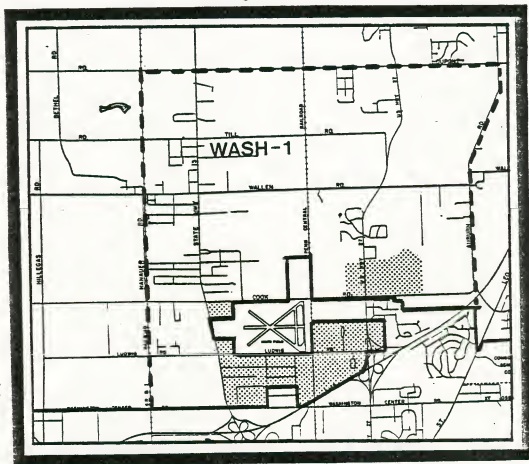


Location

C. THE COMPREHENSIVE ANNEXATION PROGRAM

The annexation of Orchard Woods is part of a larger, comprehensive annexation program that was promulgated in the CD&P publication, Annexation Policy and Program Study. This report was the culmination of a year and a half of extensive study and is used as a policy guide for the City's annexation program. The report recommends that "all 'urban' land contiguous to the City Limits should become part of the City", as should "all non-urban land required to complement the annexation of urban land and provide the ability to control and manage urban growth". Because the Orchard Woods area meets this criteria, the report identified it as part of a larger area which should be annexed.¹ Also identified in the area described as Wash-1 are Ludwig Park (since annexed), Airport Professional (since annexed), Northrop Village (since annexed), Stone Pointe Village (since annexed), and Wheatridge (since annexed). In addition, part of Cook Road has been annexed and an attempt has been made to annex Oakbrook Park and the case is pending in the Allen County Superior Court. Figure 2 shows the Wash-1 annexation area.

Figure 2



Annexations in WASH-1

and the annexations which have occurred since the report was issued.

D. AREA DEVELOPMENT

Twenty-five years ago (1956) the annexation area and its environs could be characterized as being in the "cuntry". The freeway (I-69) had not yet been constructed and the City Limits were still some distance away. Most of the subdivisions had not yet been built, and of the few homes that were existing, most of them were single-family homes situated on large lots.

However, due to several socioeconomic trends, this rural environment was quickly threatened. First of all, the population of the Fort Wayne metropolitan area was increasing. From a population of 12,608 in 1960, Washington Township had grown to 23,851 by 1980. This trend was exacerbated by a decrease in the number of persons per dwelling unit. In Washington Township in 1970, there were 3.24 persons per dwelling unit. By 1980, the number had decreased to 2.47 persons per dwelling unit. Thus, new housing had to be found for not only the 11,243 new residents that had moved into Washington Township, but additional housing had to also be provided for those people who were already living there. For example, at a rate of 3.24 persons per dwelling unit, the 1960 population would need 3,891 housing units. If the rate was 2.47, the same population would need 5,104 units.

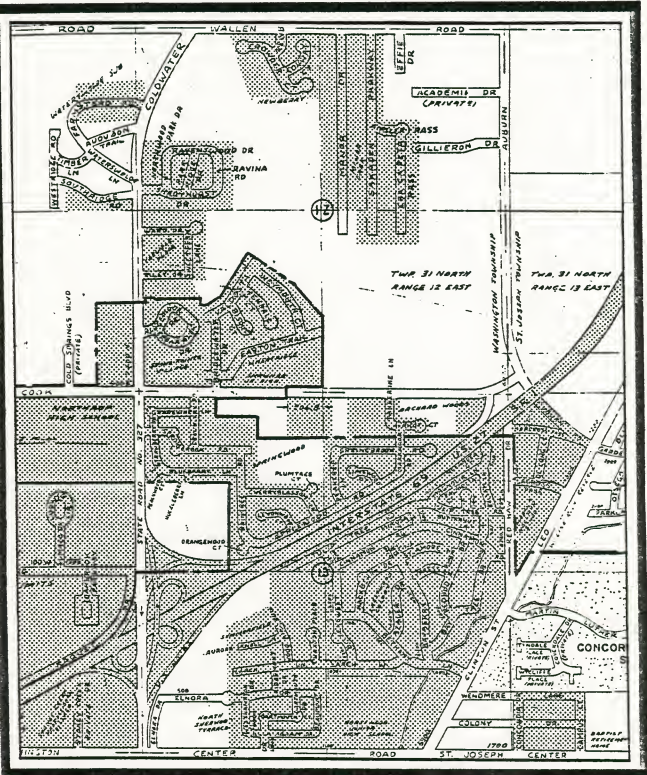
With these and other socioeconomic trends occurring throughout the 1960's, 70's and 80's, the rural annexation area was quickly engulfed by urban growth. Figure 3 shows the development that has taken place in the annexation area since 1956.

The annexation area has also participated in this growth. In 1969, a 14-unit apartment complex was constructed. Very soon afterwards, water service was extended to the complex. In the mid-1970's the Lincoln Elementary School was built, as was the Shawnee Junior High School directly across Cook Road. Both sewer and water lines were extended into the area to serve the two schools. In 1979, final plat approval was given for the construction of Section B of the Orchard Woods Subdivision. Again, sewer and water service was extended into the area to serve the newly constructed homes. In 1980, the Cook Road Lutheran Church was completed and construction is presently underway on expanding the facility.

E. FUTURE DEVELOPMENT

Vacant land which is contiguous to the City is particularly suitable for urban growth, and a policy of adjacent urban growth has been endorsed by both the City and the County Plan Commissions. Such growth allows for the more efficient planning and delivery of urban services and minimizes the problems of scattered growth.

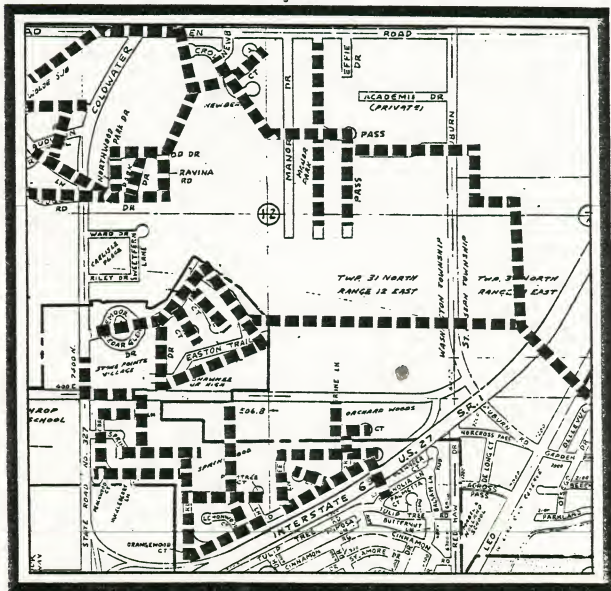
Figure 3



Area Development (1956 - 1981)

In order for adjacent urban growth to take place in an orderly manner, not only must an area have vacant land, it must also be within a reasonable distance of urban services. The Orchard Woods annexation area meets this criterion. As Figures 4 and 5 shows, sewer and water lines have been extended into and beyond the area. Also, 15% of the annexation area is presently vacant (see Figure 6). This land can be used by the City for its development in the reasonably near future. In fact, a large sign erected on Lot C of A.F. Smith's Subdivision indicates that this four-acre tract is being broken up into smaller parcels and sold. Development of this tract may occur in the very near future.

Figure 4

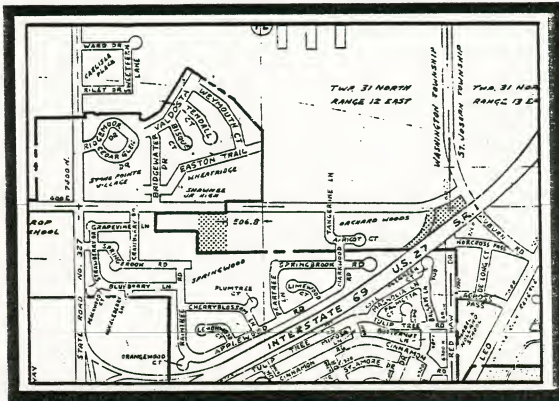


Sewer Lines

[illegible]

Development is also expected to occur in the reasonably near future in areas north of the annexation area. Figure 7 shows a large expanse of land that has been accumulated by the Midwestern United Life Insurance Company. Because such a large amount of land has been assembled by one owner, and because important urban services (water, sewer and school) are available in adjacent areas, it is anticipated that growth will occur in this area in the reasonably near future.

Figure 6



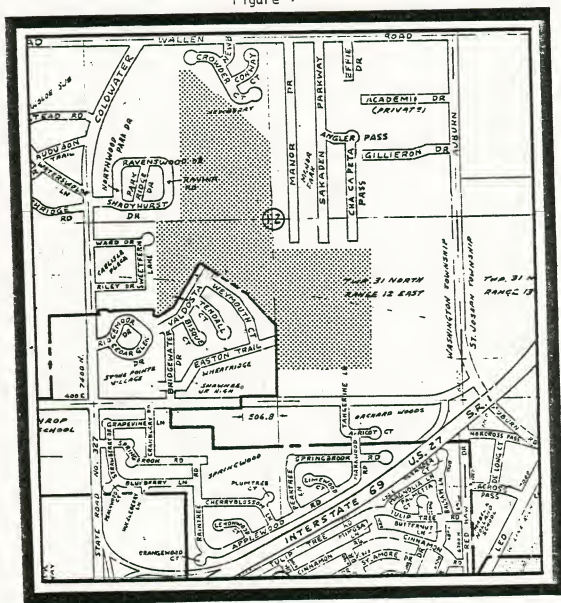
Vacant Land in Annexation Area

F. PLANNING CONTROL

One of the most troubling sections of any metropolitan area is the so-called "urban fringe" -- that point at which the city and country overlap. These areas can be particularly troublesome if they are experiencing growth and are in danger of tipping (become more urban than rural). When an area reaches this point, formerly acceptable practices, such as the use of septic tanks, begin to become nuisances, and may even jeopardize the health and welfare of area residents.

One of the key roles of annexation is to provide a mechanism by which the City can have planning control over all new development in these areas when they are in the transitory stage of becoming urban. This will ensure that all new development be consistent with City standards and practices. This is important because development that occurs under the less stringent County standards may soon be annexed into the City and the difference between City and County standards may create problems. An example of this has occurred in the Orchard Woods area. Because of the rural character of the area in the early 1950's, it was fiscally justifiable not to have sidewalks

Figure 7



Vacant Land Held by One Owner

along Cook Road. However, as the subdivisions and schools have been built in the area, the need for sidewalks becomes evident. In fact, an accident prompted the City to annex a section of Cook Road in 1976 for the express purpose of helping to construct a sidewalk between Coldwater Road (the Springwood Subdivision) and the two schools. Under County standards, the residents or subdevelopers are required to pay for the total cost of sidewalk construction. City standards require that the residents pay only 75% of the cost for new sidewalks, while the City will pay for 25% of the cost. This issue is important because with the construction

of Section B of Orchard Woods in 1979, a significant number of children are walking along Cook Road between the two schools and Orchard Woods and this part of the road has no sidewalks. As the standards have not changed between 1976 and today, if the residents want to see a sidewalk constructed between Orchard Woods and the schools, they will have to pay 100% of the cost if they are County residents, and only 75% of the cost if they are City residents. Also, if Orchard Woods is annexed to the City, the residents will be able to take advantage of the Barrett Bonding procedure which will allow them to pay for the cost of sidewalks and other types of construction at low interest rates over a ten-year period. As County residents, they cannot take advantage of the Barrett Bonding process.

G. SERVICE PROVISION

This annexation will benefit both the City and the area residents because it will establish a compact and uniform City boundary that will increase the efficiency and proficiency of the Urban Service system. The existing boundaries are irregular and can be quite confusing. This problem is particularly acute because the Orchard Woods subdivision is dissected by the City Limits. Most of the subdivision is in the City, but a significant portion of it is in the County. Determining which house is in or out of the City can be a confusing and perhaps dangerous situation for the City or County police and firemen that may be called and asked for assistance.

H. SUMMARY

In view of all the information discussed above, the annexation of the Orchard Woods area should take place because of the following reasons:

- (1) The area is bounded by the City on three sides. Thus, annexation will create a more compact City boundary and will correspond to the adjacent growth strategies of the City and County Plan Commissions. Also, due to the compactness and regularity of the City's boundaries, services would be provided more efficiently.
- (2) The residents of the Orchard Woods area have a unity of interest with the City of Fort Wayne. Many of them work in the City. Moreover, whether it be going to a major shopping mall, eating out at a fine restaurant, participating in the Three Rivers Festival, or going to a City park, most residents, if not all, take advantage of the many cultural, recreational, and social opportunities the City has to offer. Because of this, they should share equally in the cost of operating the City.

- (3) Because the area will become more urban in the future, it is important that the City be able to exercise planning control over it. This will, in the long-run, ameliorate or even eliminate many potential problems which will result if the area remains independent of the City.
- (4) Even if the area does not grow, it should still be annexed because development has "leap-frogged" it and further development is expected in these areas. In order for the City to influence and direct this growth, it must first annex the Orchard Woods area and use it as a springboard for the annexations of these other areas.

FOOTNOTES

1 Annexation Policy and Program Study, Department of Community Development and Planning, August 1975, p. 18.

Section Three - Municipal Services

This section of the Fiscal Plan forecasts the estimated costs and methods of financing the planned services for the Orchard Woods Annexation Area. The plan also describes how and when the City plans to extend the services of a noncapital improvement and capital improvement nature. As will be seen, the explanations of the above provisions do satisfy the requirements of Indiana State Law.

In 1979, the Fort Wayne City Council adopted Resolution No. R-56-79. This Resolution establishes a policy for providing municipal services to annexed areas. The directives of Resolution R-56-79, which are based on state annexation law, are followed by this Fiscal Plan. The municipal services described in this section are analyzed according to the needs of the Orchard Woods Annexation Area, along with the costs of providing these services and the funding sources. As required by state law, urban services will be provided in a manner that treats the Orchard Woods area in the same manner that other City areas similar in size and population are treated. However, because the City does not employ different service standards for different areas of the City, the annexation area is compared with the service standards as they exist for the entire City. Immediately upon annexation the City of Fort Wayne will provide police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance. Street lighting and street construction will be provided in accordance with the standard processes of the City, which include petitioning and financial participation by property owners. The water, sewer, and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant state law and utility policies. Existing facilities of the Fort Wayne Parks and Recreation Department will also be available to residents of the area upon annexation. Park development within the annexation area is contingent upon the park planning standards and methods used throughout the City.

The specifics of implementing the services mentioned above are presented in the following departmental reports. The service departments of the City will be notified prior to the date that the Orchard Woods area becomes part of Fort Wayne. This will allow the departments time to adjust their jurisdictional boundary lines and prepare proper service strategies.

A. POLICE

The Fort Wayne Police Department will become responsible for servicing the Orchard Woods area immediately upon annexation. This service generally includes the prevention of crime, the detection and apprehension of criminal offenders, assistance for those who cannot care for themselves or who are in danger

of physical harm, the resolution of day-to-day conflicts among family, friends and neighbors, and the creation and maintenance of a feeling of security in the community. The Police Department is also involved in legal work such as participation in court proceedings and protection of constitutional guarantees. It is also responsible for the control of traffic and the promotion and preservation of civil order.

District 1 will be expanded to cover the Orchard Woods Annexation Area. The Police Department keeps tabulation on the percentage of personnel and equipment necessary for the City's annexation program, and has determined that additional personnel are not required for this particular annexation. A maximum number of 11 patrols is forecast for the annexation area within a 24-hour period. The A and C shifts will make a maximum of 4 patrols while the B shift will make a maximum of 3 patrols. Even though there will be daily variations, the Chief of Police will routinely monitor service delivery and make necessary adjustments in patrol districts, patterns, and manpower so that response time to high priority calls will be approximately 3 minutes which is standard for the City.

The cost to provide police protection to the Orchard Woods Annexation Area will be \$602.25 a year. This cost is based on a maximum of 11 patrols in a 24-hour period. To arrive at the total cost for police services, the number of street miles in the annexation area is calculated and multiplied by the travel cost per mile. Funding for police manpower and equipment to be used for the annexation area will come from the regular Police Department budget which is derived primarily from local property taxes through the General Fund. Any monies allocated to the General Fund can be used for this budget and these services.

ESTIMATED ANNUAL COST: \$602.25

B. FIRE DEPARTMENT

The Fort Wayne Fire Department will provide service to the Orchard Woods Annexation area immediately upon incorporation. The services provided include fire protection and suppression, emergency rescue, and fire prevention. The first responding fire company will be from Station 13 at 1103 E. Coliseum Blvd. If needed, backup response will come from Station 6 at 1500 W. Coliseum Blvd. and Station 14 at 3400 Reed Road.

Presently, the Fort Wayne Fire Department serves an area contiguous to over one-half of the proposed annexation area. Some of this area is north of the annexation area and is further away from Station 13. Therefore, the Fire Department's response time to the annexation area will be within the standards maintained by the City. In addition, the response distance for the Fire Department is well

within the limits advised by the Insurance Services Organization. The maximum response distance suggested by the Insurance Services Organization is 4 miles. The greatest distance to be covered by the Fort Wayne Fire Department in response to a call in the Orchard Woods area will be 2.8 miles.

This particular annexation will not require a new fire station nor, will it require additional personnel and equipment. The only additional expense that is expected will be from operating costs for such items as postage, printing, photography, gasoline and the like. However, the operating costs will be minimal considering that the Orchard Woods Annexation area will be only a fraction of the total area serviced by the City. Funding for the operating costs will come from the Fire Department budget through the General Fund.

ESTIMATED ANNUAL COST: \$230.00

C. EMERGENCY MEDICAL SERVICE

Immediately upon annexation, the Orchard Woods Annexation area will receive full time emergency medical service coverage from the Fort Wayne EMS Department. This includes both Basic Life Support and Advanced Life Support. The service provided by EMS will be equivalent to service provided to other areas within the City.

EMS response will come from Fire Station 13 located on the corner of Parnell and Coliseum Blvd. In addition, for some emergencies such as heart attacks, the Fort Wayne Fire Department will provide extra assistance. This assistance will come from Station 6 with back up response coming from Station 14 and Station 10. The Fire Department trains a number of its personnel so that each station has an emergency medical technician. Therefore, the firemen are able to administer medical treatment to residents before the ambulance arrives to transport them.

The method of financing Emergency Medical Service is based on charging residents who use the service. The charge will be \$65 for non-emergency runs to \$120 for emergency runs. This method of financing permits EMS service to be extended to the Orchard Woods Annexation with its existing budget. In other words, the residents will pay directly for EMS service only when they need it.

ESTIMATED ANNUAL COST: \$0

D. SOLID WASTE DISPOSAL

The City of Fort Wayne will provide garbage collection to the Orchard Woods area immediately upon annexation. The City currently contracts with National Serv-All to provide this service. According to the contract, the City is charged \$35.88

per household per year by National Serv-All for single family and duplex housing. In multiple family developments, however, the costs for solid waste collection is \$35.88 for every two units. Since the Orchard Woods annexation contains 33 single family and 14 multiple family units, garbage disposal for the area will cost the City \$1,435.16 a year. The collection service will be financed by the City's Garbage Disposal Fund which comes from the General Fund.

ESTIMATED ANNUAL COST: \$1,435.16

E. TRAFFIC CONTROL

The City's Traffic Engineering Department will assume responsibility for traffic control in the Orchard Woods area immediately upon annexation. It will take the Department 8 to 10 months to upgrade the traffic control system so that it is comparable to that of the City's. Some of the services that can be provided by the Traffic Engineering Department are surveys and investigations of traffic conditions and problems. The Department can also recommend and implement solutions to traffic control problems. Finally, the Department provides installation and maintenance of traffic control devices such as stop lights, control signs, and fire alarm systems.

The Traffic Engineering Department will not require additional personnel to perform its services in the Orchard Woods Annexation area, but additional traffic signs and posts will be needed. Other equipment or services that will be needed are for an annual paint program to line the streets. The costs for these items are listed below:

Table 1

ITEM	NUMBER	COST	COMBINED COST
Signs:			
Speed Limit - 35	1	\$22.80	\$ 22.80
Stop	1	\$27.50	\$ 27.50
Misc.:			
Posts - 12' 3/4 lb.	8	\$15.20	\$121.60
Paint Program		1.5¢ ft.	\$140.50
TOTAL COST			\$320.40

Traffic Engineering Costs

Incorporating the Orchard Woods Annexation area will create two types of expenditures for the Department of Traffic Engineering. First, there will be capital costs for such items as stop signs. Capital costs are a one time expense to upgrade the area's traffic control system so that it is compatible with the traffic control system of Fort Wayne. The total capital cost expected for this annexation is \$171.90. The second expenditure to be incurred by the Traffic Department is the annual cost to maintain the traffic control system. This cost is estimated to be \$148.50. Funding sources for these services will be from real estate taxes, Motor Vehicle Highway (MHV) funds, and Revenue Sharing funds.

CAPITAL COST: \$171.90

ESTIMATED ANNUAL COST: \$148.50

F. STREETS AND ROADS

The incorporation of the Orchard Woods Annexation area would add .57 miles of arterial and collector roads and .2 miles of residential roads. The streets within the annexation area are listed below followed by their classification, their physical makeup, and their condition.

Table 2

STREET	CLASSIFICATION	CONSTRUCTION MATERIAL	CONDITION
Cook Road	Arterial	Asphalt	Good
Apricot Court	Residential	Concrete	Fair
Tangerine Lane	Residential	Concrete	Good
Markwood Road	Residential	Concrete	Good

Road Classification

General maintenance of the streets listed above will be the responsibility of the Fort Wayne Street Department immediately upon the incorporation of the Orchard Woods area. This service includes snow and ice removal, mowing along the roadside, leaf pick up, and surface maintenance. The Traffic Engineering Department will also provide engineering services and construction supervision of all streets, alleys, and sidewalks that will be constructed within the proposed annexation area. The provision of these services to the annexation area will not require any additional personnel or equipment, and they will be comparable to those services already provided to the City of Fort Wayne immediately upon annexation. The average cost to provide general street maintenance is \$2,500 per mile of street, so the Orchard

Woods annexation will cost the City approximately \$1,925 a year to maintain. The source of funding for street maintenance is the Street Department budget which is composed of funds from Motor Vehicle Highway (MVH), Federal Aid Urban (FAU), and Local Arterials Roads and Streets (LARS).

Besides the mandatory maintenance services just discussed, the Street Department will improve streets upon receipt of a petition from the property owners. Arterial and often collector streets can be improved with funding from accounts such as FAU and LARS. The cost to improve residential streets is split between the property owners petitioning for the improvements and the City. The property owners share is 75% and the City's is 25%. The City's share will come from Motor Vehicle Highway funds. All petitions from the Orchard Woods area will be treated equally with those petitions in the City and honored according to the same criteria such as filing date and amount of money available in any particular year. If annexed, the residents will be able to use Barrett Bonding as a capital source to finance their share of the street project.

ESTIMATED ANNUAL COST: \$1,925

G. PARKS

Residents of the Orchard Woods Annexation area presently have access to City park facilities such as swimming pools, ball diamonds, picnic facilities, day camp, golf courses, indoor and outdoor ice skating facilities, and so forth.

At this time, there are no plans for constructing parks in the Orchard Woods Annexation area as the current need does not require such improvements. If money is available from the Park General Fund, revenue sharing, or the Capital Improvement Fund, approximately 60 trees could be planted at 60-foot intervals along streets at \$45 a tree.

ANNUAL ESTIMATED COST: \$0

H. WATER

Over 80% of the structures within the Orchard Woods Annexation area are already served with City water. This includes approximately 25 residential households, 14 apartment units, and 3 commercial units. If requested, the Fort Wayne Water Utility has the capacity and the capability to provide sufficient volumes of water to the remaining portions of the annexation area. Some of the area can be served directly from the existing mains if a property is adjacent to these mains, or by the extension of distribution mains from existing distribution and/or feeder mains in the area. When the need arises, the balance of the area can be served with the construction

of various feeder mains. Such feeder mains are a part of the Master Plan For Fresh Water Supply and Distribution for the Fort Wayne-New Haven-Allen County area. They are included in a basic plan for capital improvements which is a confirmation of the view that the Orchard Woods area is appropriate for adjacent growth and is needed for the future development of Fort Wayne.

In 1982, a 16" water main is planned for construction along Cook Road. The proposed main will be funded out of the cash reserves of the utility. Assessments will be filed to recover the costs from property owners tapping in during a fifteen-year period. These owners will be assessed for a 6" line and the utility will pay the costs for the oversizing.

The extension of distribution lines to individual developments will be considered once the affected property owners in the area petition for such service. This procedure is the same used in the City proper. The property owners in the area must also finance the cost of the installation on either a cash basis, or with a mechanism similar to Barrett Bonding. The bonding procedure permits property owners to spread their payments for the installation costs over a ten (10) year period.

ESTIMATED ANNUAL COST: \$0

I. FIRE HYDRANTS

The Civil City of Fort Wayne pays the Water Utility \$151.20 annually for each fire hydrant located within the City. Since the proposed annexation area contains 7 hydrants, the City will pay the utility \$1,058.40 a year upon annexation. In addition, 4 to 6 additional hydrants will need to be installed on Cook Road. This will occur after the water main has been constructed along Cook Road.

ESTIMATED ANNUAL COSTS: \$1,058.40

J. SANITARY SEWERS

Over 50% of the existing residential units are hooked up to sanitary sewers. Figure 5 shows the location and size of existing sewers. Additional sanitary sewers can be provided by the Fort Wayne Department of Water Pollution Control. Before the City can provide sanitary sewers to the annexation area, the residents will first have to petition for such service. Residents will also have to pay for the installation of the sewers. A petition may be submitted before annexation, however, Barrett Bonding is available if the area is located within the City. Barrett Bonding permits residents to make long-term -- (10 years) low interest payments for their sewers.

ESTIMATED ANNUAL COST: \$0

K. STORM SEWERS

The Fort Wayne Department of Water Pollution Control does not provide storm sewer service to areas outside of the City. At this time, there is no record of a City storm drainage system in the annexation area. This means that upon annexation, the installation of a storm sewer system, or the maintenance of any existing storm sewer system already within the area is the responsibility of the property owners.

Upon annexation, the Department of Water Pollution Control will not consider capital improvements for storm sewers unless petitioned by the residents of the area. The City does not have storm sewer relief funds available for this type of project. It is the City's policy that the financing of storm sewers be the responsibility of property owners. Residents can pay through Barrett Law Assessments which allows payment over a 10-year period at an interest rate generally lower than that available in the open market.

When the Board of Works receives a petition from the affected property owners, it will direct the Department of Water Pollution Control to make an investigation of storm drainage conditions. Upon completion of the study, a contract for storm drainage construction may be let by the Board of Works.

ESTIMATED ANNUAL COST: \$0

L. GENERAL

Upon annexation, all administrative functions of the City will be available to the Orchard Woods Annexation proposal. This includes, but is not limited to, The Law Department, The City Plan Commission, The Mayor's Office, The Board of Works, Metropolitan Human Relations, and so on. General administration includes all the regulatory and program functions of the various City departments. When the area is annexed, City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services cannot be directly related to the size or population of an area. Consequently, this plan does not include cost estimates. However, the budgets of these departments are developed with consideration of annexation, thereby, expansion of administrative functions is possible. Funding comes from a variety of resources including the General Fund, the State (MVH for example), and the Federal Government.

ESTIMATED ANNUAL COST: \$0

M. STREET LIGHTING

Presently, there are no city street lights located within the Orchard Woods area. However, the developer of the Orchard Woods subdivision is in the process of installing street lights. If the lights have been completed before the area is annexed to the city, it will be the responsibility of the residence association to maintain and operate them. After annexation, the Fort Wayne Street Lighting Department will assume maintenance and operation costs. If the lights operate 4,000 hours a year with 100-watt bulbs, the total operating costs will be \$48. The money for this operating expense will come from the City Utilities budget.

ESTIMATED ANNUAL COST: \$48

Section Four – Financial Summary

The purpose of this section is to report the revenues and expenditures from the proposed Orchard Woods Annexation area. This section will also provide a five-year summary of the expenditures compared with the revenues.

A. REVENUES

Property taxes are the main source of revenue to be received from the Orchard Woods Annexation area. Property taxes are computed from the gross amount of assessed valuation in the area which can be obtained from the office of the Washington Township Assessor. The formula for computing tax revenue is shown in Table 3.

Table 3

$$\frac{V-E}{100} (T) - TC = TR$$

Where:

V = Assessed Valuation
E = Home Mortgage Exemption (\$1,000)
T = Tax Rate (3.1934)
TC = Tax Credit
TR = Tax Revenue

Tax Revenue Formula

The total assessed valuation of the proposed Orchard Woods Annexation is \$351,220. Deducted from this figure is \$33,000 in home mortgage exemptions (33 dwelling units x \$1,000 mortgage exemption = \$33,000). This deduction leaves a net balance of \$318,220 which is then computed with the City's 1981 tax rate of \$3.1934 per \$100 in assessed valuation. The computation equals \$10,162.04. Finally, a 20% tax credit is deducted from the \$10,162.04 sub-total to arrive at a final figure. So, the total amount of property tax revenue that could be expected from the annexation area to the City in 1982 is \$8,129.63. Table 4 lists the different funds that make up the Fort Wayne tax rate.

Table 4

FUND	TAX RATE
Corporation General	\$2.3042
Fire Pension	\$.1811
Police Pension	\$.1629
Redevelopment General	\$.0117
Redevelopment Bond	\$.1085
Park General	\$.3704
Sanitary Officer Pension	\$.0090
Street Bond	\$.0456
TOTAL	\$3.1934

Taxing District Rate

In addition to property taxes, the City receives revenues from Federal Revenue Sharing funds, the Community Development Block Grant, and the Local Road and Streets funds. These grants and funds are based in part on the City's population. Since population is only one element of a very complex distribution formula, the direct contribution of Orchard Woods Annexation cannot be calculated. Still, these funds will increase with City population increases.

B. EXPENDITURES

Expenditures that were reported in the section on Municipal Services are summarized in Table 5. Capital costs are separated from operating costs, and they are considered as maximum expenditures. Since the needs of the Orchard Woods area must be treated equally with the needs of Fort Wayne, capital improvement projects such as the installation of streets, curbs, and sidewalks must follow routine City procedures which often require petitioning. Utility costs are not reported here as they are paid for by the property owners, and only after they request the improvements.

C. FIVE YEAR SUMMARY

The Five Year Summary shows the projected expenditures compared with the tax revenues expected in the Orchard Woods Annexation area for the first five years after it is incorporated into the City of Fort Wayne.

The summary automatically includes for each of the five years an 11.7% inflation factor for municipal expenditures, and a 5% increase factor for City revenues. The 11.7% inflation

Table 5

DEPARTMENT	CAPITAL COSTS	OPERATING COSTS
Police	\$.00	\$ 602.25
Fire	\$.00	\$ 230.00
EMS	\$.00	\$.00
Solid Waste Disposal	\$.00	\$1,435.16
Traffic Control	\$171.90	\$ 148.50
Streets	\$.00	\$1,925.00
Street Lighting	\$.00	\$ 48.00
Parks	\$.00	\$.00
Water	\$.00	\$.00
Fire Hydrants	\$.00	\$1,058.40
Sanitary Sewer	\$.00	\$.00
Storm Sewer	\$.00	\$.00
Admin. Functions	\$.00	\$.00
TOTAL	\$171.90	\$5,447.31

Expenditures in the Annexation Area

factor is the median percent change of selected price indexes (Services and Fuel Costs) as calculated by the 1980 Statistical Abstract of the United States.¹ The revenue factor is derived from the percent increase of assessed valuation in the State of Indiana. This increase is applied to the City's allowed levy ceiling.

Table 6 includes both capital and operating costs in the estimated first year expenditures. Capital costs are a one time expenditure to upgrade the proposed annexation area.

Table 6

	EXPENDITURES	PROPERTY TAX REVENUE	BALANCE
1983	\$ 5,619.21		-\$5,619.21
1984	\$ 6,084.64	\$ 8,962.91	+\$2,878.27
1985	\$ 6,796.54	\$ 9,411.05	+\$2,614.51
1986	\$ 7,591.73	\$ 9,881.60	+\$2,289.87
1987	\$ 8,479.96	\$10,375.68	+\$1,895.72
TOTAL	\$34,400.18	\$38,631.24	+\$4,231.06

Revenues Minus Expenses

Property tax revenue from the annexation area will not be collected until 1984. Assuming the area is not annexed until January 1, 1983, assessment will not occur until March of the same year with revenues being collected in 1984. Since revenues are not collected for one year after the effective date of the annexation, the City will experience a loss of \$ 5,619.21 in 1983. However, beginning in 1984, the amount of revenue will exceed the projected cost estimates to service the area.

FOOTNOTES

1 Annual Percent Change in Selected Price Indexes: 1960 to 1970, The 1980 Statistical Abstract of the United States, U.S. Department of Commerce, Bureau of the Census, 101st Edition, Table 794, p. 478.

Section Five--Summary and Recommendations

A. INDIANA ANNEXATION STATUTES

The proposed Orchard Woods Annexation area meets the legal requirements of the Indiana Code on annexation procedures and appeals. Specifically, Indiana Law requires that an annexation area be bordered on one fourth ($\frac{1}{4}$) of its aggregate external boundaries by the boundaries of the City, and that it is needed and can be used by the City for its future development. In addition, Indiana Law requires the preparation of a fiscal plan which delineates the capital and non-capital services to be provided the area within one and three years, respectively. The fiscal plan must also show the methods of financing City services as well as a plan for hiring employees of other governmental entities whose jobs are eliminated by the annexation. All of the provisions mentioned above have been adequately explained and satisfied in this Fiscal Plan. Therefore, the following paragraphs will only provide a brief summary.

First of all, 60% of the proposed annexation area's external boundaries are contiguous with the City. This means that THIS ANNEXATION DOUBLES THE 25% CONTIGUITY REQUIREMENT.

Section II of this Plan shows that the Orchard Woods Annexation area will experience urban development in the near future and that this development is needed by the City. Furthermore, Section II indicates that the annexation is designated in the City's 1975 annexation study as needed by the City to manage anticipated development and its related problems. Section II also states in detail that the Orchard Woods Annexation area is needed because it is a vital link with urbanized areas further north which are critical to the City's future growth strategy and ultimate well being. Finally, the incorporation of the Orchard Woods Annexation is needed to allow the City to broaden and preserve its tax base so that it can provide adequate services.

This document is the written fiscal plan which establishes a definite policy for providing municipal services to the Orchard Woods Annexation area. Section III of this document outlines how all non-capital services will be available within one year of annexation. Capital services will be provided in a manner consistent with federal, state and local laws, procedures and planning criteria. Police and fire protection, emergency medical services, and solid waste collection are considered essential for the health and safety of current residents and future employees of this area and will be available upon annexation. All other non-capital services and all administrative functions of the City will also be provided upon annexation and in the same manner as they are normally provided within the City.

As already indicated, no additional park services are required at this time as the area's population does not warrant additional service. When the annexation is passed by the Common Council, this document will be adopted and become an official document of the City. Then, when the annexation becomes effective, City departments will be notified and will modify their jurisdictions so that the plan can then be implemented.

Cost estimates are provided where appropriate as are statements regarding the funding methods. No employees of other governmental entities will lose their jobs because of this annexation, so no plan for the hiring of such employees is needed.

B. FORT WAYNE ANNEXATION POLICY

The Fort Wayne City Council has other annexation criteria in addition to those set forth by the Indiana Statutes. The preceding sections outline these criteria followed by the necessary response.

(1) the area proposed for annexation must have a unity of interest with the municipality:

The Orchard Woods Annexation is actually part of the Fort Wayne urban community. Residents share recreational and commercial facilities with city residents. Furthermore, with the construction of the water main, the City is installing major capital improvements in the area that will place more dependency on Fort Wayne service. Finally, the area is 60% contiguous to the City which makes it a natural extension of the City.

(2) the advantages to the proposed annexation must outweigh the disadvantages:

Advantages for the annexation area include the provision of urban services such as garbage collection, improved traffic control measures and the like. Also, residents will acquire a voice in City Government in which they share a mutual interest. There is an overall community benefit, of which Orchard Woods is part, of a more equitable tax base. Barrett Bonding for capital improvements will also be available upon annexation which will facilitate the process to obtain City sewers being installed in the area. The only major disadvantage to the residents is an increase in property taxes.

(3) the advantages to the City must outweigh the disadvantages:

The City will grow along with the urban area, thereby preserving a strong tax base and the

ability to provide adequate municipal services to City residents. Annexation of this area will help to eliminate the already existing tax inequities. City residents pay City and County taxes which help support services to the growing suburban residents. Yet suburban residents do not pay City taxes to support the services they are using. The City also needs this annexation to gain access to developing areas north of the annexation area. Finally, this area is needed by the City so that it can better manage expected growth in this area to the benefit of City residents.

- (4) the deficit of income against expenses to the City must not be unreasonable.

As shown in Section IV, Financial Summary, the City will receive almost \$4,231.06 more in revenue from 1983-87 than in expenses to provide municipal services.

- (5) the City must desire to annex the area.

The Orchard Woods Annexation is desired and needed by the City of Fort Wayne to permit the City to grow along the urban area, to preserve a strong tax base, to eliminate existing tax inequities, and to incorporate vacant ground. The City also desires this area so that it can better manage expected growth.

It is with careful thought and consideration that the Department of Community Development and Planning recommends that this area be annexed to the City of Fort Wayne with an effective date of January 1, 1983, as it meets both legal and local criteria for an acceptable and beneficial annexation.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 11/82/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resoluition a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,



Nick Palermo, Chairman
Board of Public Safety

3-9-82
DATE _____

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 11/82/ E)

I hereby certify that I did this 23rd day of February, 1982 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 11/82/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.



CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 11/82/E

(Adopted February 23, 19 82)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (TEMPORARY) (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 23, 19 82, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

February 23, 19 82, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (TEMPORARY) (EMERGENCY)

Old Mill Rd. -- both sides -- from Lexington Ave. to Westover Rd.

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 12/82/E

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,



Nick Palermo, Chairman
Board of Public Safety

3-9-82
MADE A MATTER OF RECORD
DATE 3-9-82 BY CLERK

RETURN CERTIFICATE

(Regulatory Resolution No. 12/82/E)

I hereby certify that I did this 24th day of February, 1982 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 12/82/E of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 12/82/E

(Adopted February 24 19 82)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY)

: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum

dated February 24, 19 82, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

February 24, 19 82, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Abbey Dr. -- both sides -- from 820' west of Canterbury Blvd. to 350' west thereof

Northgate Blvd. -- north side -- from Old Dover Blvd. to 250' east thereof

Old Dover Blvd. -- east side -- from Northgate Blvd. to 410' north thereof

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Numbers: 13/82/E
14/82/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate them into the minutes of the next Common Council
Meeting.

Respectfully submitted,



Nick Palermo, Chairman
Board of Public Safety

3-9-82

DATE

MADE A PUBLIC RECORD

CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 13/82/E
14/82/D)

I hereby certify that I did this 1st day of
March, 19 82 deliver to each, the City Traffic
Engineer, the Chief of Police, the City Attorney, the City
Clerk and the President of the Common Council of the City
of Fort Wayne, Indiana respectively, a copy of the within
Regulatory Resolution No. 13/82/E
14/82/D of the Board of Public
Safety of the City of Fort Wayne, duly certified by me as
Chairman of said Board, in accordance with the provisions
of Section 17-4 of Chapter 17, of the Code of the City of
Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 13/82/E

(Adopted March 1, 1982)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make temporary or experimental regulations to cover special conditions; and,

WHEREAS, a special condition has arisen justifying the Temporary Experimental Regulation hereinafter ordered, with regard to NO PARKING (EMERGENCY)

_____: AND,

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 25, 1982, submitted to this Board his advice with regard to the regulation herein adopted, which written memorandum is on file in the office of this Board;

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA:

That, pursuant to the authority granted to this Board by Section 17-4 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 to make temporary or experimental regulations to cover special conditions, it is hereby ordered, effective

March 1, 1982, and for a period of sixty (60) days thereafter, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (EMERGENCY)

Harmony Ct. -- east side -- from Berry St. to the first alley north thereof

REGULATORY RESOLUTION NO. 14/82/D

(Adopted March 1, 1982)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 16 of said chapter delegates to this Board authority to DELETE: NO PARKING TRUCK LOADING
ZONE (DELEGATED)

_____;

WHEREAS, the City Traffic Engineer has, by written memorandum dated February 25, 19 82, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 16 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

March 1, 19 82, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

DELETE:
NO PARKING TRUCK LOADING ZONE (DELEGATED) _____

Harmony Ct. -- east side -- from 75' north of Berry St. to 75' north thereof

President of the Common Council
City of Fort Wayne, Indiana

Gentlemen:

Attached herewith are authenticated copies of the Board of
Public Safety Regulatory Resolution Number: 15/82/D

For the purpose of enforcement, please make this communication
and the attached Regulatory Resolution a matter of record and
incorporate it into the minutes of the next Common Council
Meeting.

Respectfully submitted,



Nick Palermo, Chairman
Board of Public Safety

3-9-82
DATE 3-9-82 FILED A MATTER OF RECORD
FOR THE CITY CLERK

R E T U R N C E R T I F I C A T E

(Regulatory Resolution No. 15/82 / D)

I hereby certify that I did this 5th day of March, 19 82 deliver to each, the City Traffic Engineer, the Chief of Police, the City Attorney, the City Clerk and the President of the Common Council of the City of Fort Wayne, Indiana respectively, a copy of the within Regulatory Resolution No. 15/82/ D of the Board of Public Safety of the City of Fort Wayne, duly certified by me as Chairman of said Board, in accordance with the provisions of Section 17-4 of Chapter 17, of the Code of the City of Fort Wayne, Indiana 1974.


CHAIRMAN, Board of Public Safety

REGULATORY RESOLUTION NO. 15/82/D

(Adopted March 5, 1982)

WHEREAS, Section 17-4, Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974 authorizes the Board of Public Safety to make regulations to carry out its delegated authority thereunder; and,

WHEREAS, Section 121 of said chapter delegates to this Board authority to NO PARKING (DELEGATED)

_____ ; and,

WHEREAS, the City Traffic Engineer has, by written memorandum dated March 5, 19 82, submitted to this Board his advice with regard to the regulation hereinafter adopted, which written memorandum is on file in the office of this Board:

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF PUBLIC SAFETY OF THE CITY OF FORT WAYNE, INDIANA

That, pursuant to the authority delegated to this Board by Section 121 of Chapter 17 of the Code of the City of Fort Wayne, Indiana of 1974, it is hereby ordered, effective

March 5, 19 82, and when signs are erected pursuant hereto giving notice thereof, that the FOLLOWING IS ESTABLISHED:

NO PARKING (DELEGATED)

Miller Lane -- south side -- from Wells St. to the first alley east thereof

Redevelopment
annual
report -

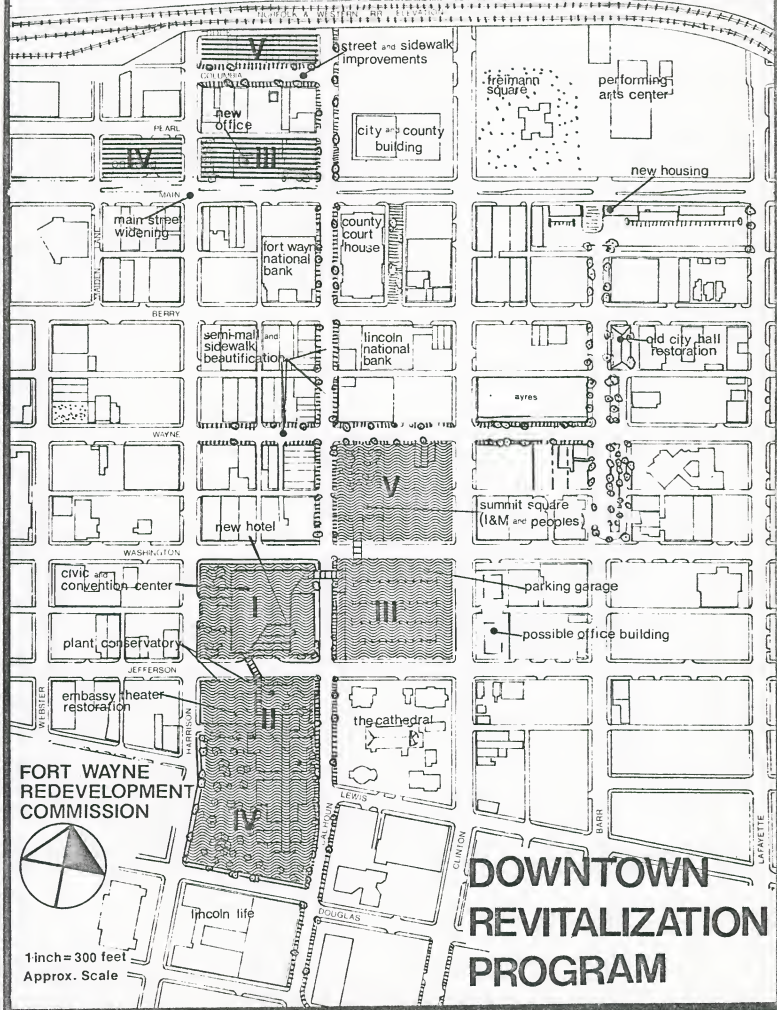
FORT WAYNE REDEVELOPMENT COMMISSION

One Main Street · City-County Building · Fort Wayne, Indiana 46802 · 219/423-7564

ANNUAL REPORT TO THE MAYOR

January 1982

DATE



1 inch = 300 feet
Approx. Scale

DOWNTOWN REVITALIZATION PROGRAM

City of Fort Wayne
Department of Redevelopment
Commissioners for the year 1982

PRESIDENT:

Mr. Leonard M. Weinraub
205 West Wallace Street
Fort Wayne, IN 46804
OFFICE: 744-1115
HOME: 432-5089

1057 Forest Lake, Apartment 202
Naples, Florida 33940
(813) 261-0962

VICE PRESIDENT:

Mr. Stephen Smith
3005 North Anthony Blvd.
Fort Wayne, IN 46805
483-0302

SECRETARY:

Mrs. Hana L. Stith
5620 Gaywood Drive
Fort Wayne, IN 46806
HOME: 744-9351
SOUTH WAYNE SCHOOL: 425-7457

Mr. Gary Trent
202 West Berry
Fort Wayne, IN 46802
OFFICE: 424-8448
HOME: 484-3579

FORWARD

The year 1981 saw continued progress by the Fort Wayne Redevelopment Commission toward the revitalization of Downtown Fort Wayne. Progress on some of the individual redevelopment projects which make up Fort Wayne's Downtown redevelopment efforts have faced delays because of national economic factors. Meanwhile other projects such as Phase II of Civic Center Parking Garage and the Botanical Conservatory have moved forward as scheduled.

Due to adverse national economic factors, the task of Downtown revitalization has been increasingly important to the Community and at the same time increasingly difficult to accomplish. As a result of this, during 1981 an increased effort to coordinate activities was realized. The Redevelopment Commission has begun working even more closely with all of the various public and private agencies and organizations involved in the revitalization of Downtown. With this concerted effort, the future looks bright for Downtown Fort Wayne.

The following report capsulizes the past year's activities.

Downtown Revitalization Program

Civic Center Renewal Project

Block 1

The year 1981 saw a continuing evolution of the financing for the Civic Center/Hotel complex to try to adjust to current economic conditions of high interest rates and tight money supplies. The project which is located on the block bounded by Calhoun, Washington, Harrison and Jefferson Streets, remains as the focal point for the revitalization of Downtown.

The Civic Center, which is being constructed by the Fort Wayne and Allen County Convention and Tourism Authority, spent much of 1981 on hold as the Authority awaited the finalization of financing on the Radisson Hotel. Late in 1981, however, the Authority decided that plans for the Center must proceed. In December 1981, the Convention Authority directed Ellerbee, the architects for the Center and the Hotel, to proceed with work on the 73,000 square foot Civic Center as soon as possible irregardless of the status of the Hotel. Even though building both facilities simultaneously remains the obvious first choice, a tentative deadline of March 1, 1982 has been set to make a decision as to proceed with the Civic Center alone or with the Hotel. Some minor modification is being done to the plans for the Civic Center so that it may function as a separate building and yet be closely intergrated with a hotel at a later date. Work has also been initiated on the preparation of a bond issue to help finance the \$7,000,000 Civic Center.

The Civic Center Hotel has had to go through some major adjustments in 1981 with regard to methods of financing. The major elements of financing have remained in place, but, because of record high interest rates the amounts have fluctuated. At the end of 1981, the financing for the Radisson Hotel is as follows-

- \$10 million Industrial Revenue Bond
(guaranteed by Lincoln National
Life at 11-1.2%)
- \$2.5 million Urban Development Action Grant
- \$1.2 million Local Second Mortgage
- \$3.8 million Equity commitments
- \$1.0 million Land Lease-Back Lincoln Life
- \$18.5 million

Because of the involvement of Industrial Revenue Bonds in the financing of the project the maximum cost had to remain below \$20 million in order to qualify for tax-exempt status. As a result, the Hotel has had to be downsized to 275 rooms. At the end of 1981, architects were working on plans for the Hotel and the paperwork was being put together in preparation for the sale of the bonds in early 1982. It is anticipated that construction will begin in late Summer 1982.

Block II

The Redevelopment Commission completed site preparations for the beginning of construction of the Botanical Conservatory in the Fall of 1981. The Conservatory is being constructed at a cost of \$5 million through donations from the Foellinger Foundation, and the Frank Freimann Charitable Trust and a permanent trust fund from Lincoln National Life Foundation, which will

help cover maintenance and operating costs.

The facility, which is being designed by Archonics Corporation of Fort Wayne, will have almost an acre of enclosed plant displays. This will be the only Plant Conservatory in the country which is in a downtown setting. Construction is expected to take about 18 months with a Spring 1983 completion.

Preservation and restoration of the historic Embassy Theatre has also been an integral part of the Civic Center Project with the theatre being planned to be used as the auditorium for the Civic Center. During this past year the Redevelopment Commission completed its commitment of \$400,000 from the Redevelopment Capital Fund for restoration of the theatre itself. These funds paid for completely restored seats, cleaning of the ceilings and walls, new curtains, new lighting and many other items.

The Embassy Theatre Board is currently reviewing various proposals from private developers wishing to renovate the old Indiana Hotel which surrounds the Embassy. At this time, no developer has been selected and no new use for the Hotel portion of the building has been finalized.

Block III

The new Civic Center Parking Garage (Phase I) on the North half of the block bounded by Calhoun, Washington, Clinton and Jefferson Streets was completed. The garage, which was designed by Gibson, Tourney, Kim of Fort Wayne and Carl Walker and Associates of Kalamazoo, Michigan and constructed by Hagerman Construction

Company, has a capacity of 465 cars as well as 9,000 square feet of commercial space along Calhoun Street. It was financed by a Parking Revenue Bond of \$1,000,000 and an Urban Development Action grant of \$1,462,000.

The South half of the block will be the site of a second phase of the garage which will connect with the first phase and house an additional 600 parking spaces. The Economic Development Administration has given preliminary approval to the City for a grant of \$1.8 million to help pay for construction of the second phase. This project will begin sometime in 1982.

Block IV

During 1981, The Redevelopment Commission issued \$3,000,000 in Redevelopment Bonds to finance the acquisition, relocation, demolition and site improvements in the Civic Center II Renewal Project. The project encompassed the block bounded by Harrison, Douglas, Calhoun and Lewis Streets and has become the second block of the Botanical Conservatory site. By the end of 1981 all businesses had relocated and acquisition was completed except for one property. Demolition was well under way, including the closing and removal of Lewis Street.

West Main Street Renewal Project Amended

Block III

The Redevelopment Commission is currently working with the developer, Mid Town Investment, who was the successful

bidder on the project in the Summer of 1979.

The developers are proposing the construction of a five story, 108,000 square foot office building. The City has submitted an Urban Development Action Grant application to HUD for \$1,100,000 which would assist the developers in construction of the project. It is expected that the building will be under construction by the Summer of 1982.

Block IV

Demolition of the block bounded by Main, Harrison, Pearl, and Maiden Lane has been completed. This block is to be the site of a paved surface parking lot until necessary funds are available to construct a garage. This surface lot will have a capacity of 70 to 80 cars.

Block V

A great deal of time and effort was spent in 1981 trying to salvage a developable site out of what once was the Old Drug Building. Following the October 1980 collapse of the Old Drug Building, steps were taken to secure the adjacent buildings from further damage. Once it was determined that the Markey Building at 524 S. Calhoun Street could not be saved, it was purchased by the Redevelopment Commission and demolished. This allowed the Commission to put that parcel of land with The Drug Building Site and have a 40 foot by 60 foot parcel

to put out to bid for development. Dr. Gilbert Bierman, doing business as the Old Drug Rehab Co., submitted the successful bid with the proposal to construct a building which is architecturally similar to the original Old Drug Building only twice as large. His plans call for a mixed use of retail offices and residential units at a cost of nearly \$1,000,000.

Neighborhood Redevelopment Program - West Central Area

The "Broadway Block", which is bounded by Broadway, Lavina, Wilt and Van Buren Streets, was originally proposed for senior citizen housing. However, due to unavailability of funding, the West Central Neighborhood Association requested that the land use of the site be changed to allow for a "neighborhood commercial" development of offices and/or stores on the block.

This change triggered quite a bit of activity involving the "Broadway Block" in 1981. With the aid of the Redevelopment Commission, the Northeast corner of the Block became the site of the West Central Neighborhood Center. The Redevelopment Commission, in cooperation with the City and Community Development and Planning turned over the Northwest quarter of the Block to C.D. & P. for development of an improved off-street parking area. This free parking area will serve the merchants and businesses along Broadway and become an important feature of the Broadway street and facade improvements being undertaken through the use of Community Development Block Grant funds.

The remainder of the "Broadway Block" is currently being sold to Phillipps Church Supply, Inc., for construction of

a 9000 square foot office and showroom. The closing is expected to take place in early 1982 and construction should follow immediately. This will close out the last of the parcels in the Neighborhood Development Program.

Hanna-Creighton Urban Renewal Project

During 1981, the Redevelopment Commission has seen continued interest in the light industrial parcels along Wallace Street in the Hanna-Creighton Renewal Project. During the past year several projects have been completed including S.E. Jahn Company, on 1/2 of Parcel 7 and a Portion of Parcel 8, and Sentry Commercial and Industrial Supply, in Parcel 14.

As of this date only part of Parcels 7 and 8 and Parcels 19 and a portion of Parcels 20 and 23 remain available for development.

Tax Abatement

During 1981 the Redevelopment Commission reviewed six applications for designation as an urban development area in order to qualify for tax abatement. Each of the six applications were from properties either in the Downtown area or in the east central area. The six projects represented over \$500,000 in new construction. The applicants were:

<u>Name</u>	<u>Address</u>	<u>Approved</u>
Better Business Bureau	1203 Webster	Yes
Ivan A. Lebamoff	120 W. Wayne	Yes
L. G. Murphy & Assoc.	229 W. Berry	Yes
S.E. Jahn Company	1021 Wallace	Yes
Sentry Supply	1321 Wallace	Yes
Wayne Metal Protection	1511 Wabash	Yes

Tax Increment Financing

Perhaps the single most important development for the Redevelopment Commissions of Indiana in 1981 was the finding by the Courts that Tax Increment Financing is valid. The concept of Tax Increment Financing (T.I.F.) - the channeling of new taxes generated by redevelopment projects back into the same areas - has been used successfully in several states. This new approach to financing redevelopment activities allows an area which is undergoing redevelopment to keep some of the new tax base created and invest it back into the same area for further public improvements to encourage more redevelopment.

In anticipation of this new financing mechanism the Fort Wayne Redevelopment Commission in 1981 expanded the Civic Center Renewal Project to include the Summit Square block which is bounded by Clinton, Washington, Calhoun and Wayne Streets. This was done prior to the completion of the Summit Square

complex and therefore allows the Redevelopment Commission access to a portion of the property taxes paid by the project through the T.I.F. process. At years end no final determinations had been made on projects or dollar amounts involved.

Downtown Task Force

1981 saw the establishment of a Task Force examining the problems and potential solutions in Downtown Fort Wayne. The Redevelopment Commission working very closely with the Department of Economic Development and the Mayor's Office formulated the Task Force which was made up of Department Heads from the various City Departments, bankers, developers, retailers, Chamber of Commerce, City Council and others. The Task Force developed priorities for projects that could be addressed by the public sector. Included in the work of the Task Force was the inventory of data on each piece of property in the Downtown - over 600 parcels - and the compilation of this information onto a series of 28 maps which was used by the Task Force. This inventory is being expanded in early 1982 to include an intensive building condition survey which will enable the Redevelopment Commission to possibly expand the Redevelopment District to encompass a larger portion of the Downtown.

DEPARTMENT OF REDEVELOPMENT

RECEIPTS, DISBURSEMENTS & BALANCES

January 1, 1981 to December 31, 1981

Fund	Balance 1/1/81	Receipts	Disbursements	Balance 12/31/81
Redevelopment District General	\$ 10,317.36	\$ 360,097.70	\$ 358,271.55	\$ 12,143.51
Redevelopment District Capital	20,994.29	1,699,454.53	1,715,977.48	4,471.34
Redevelopment District Bond	387,168.24	1,957,435.60	1,941,425.38	403,178.46
Administrative Revolving Fund	15,000.00	19,173.92	20,829.71	13,344.21
Hanna-Creighton Fund	7,681.03	23,280.76	30,961.79	-0-
CBD Revitalization Fund	3,411.02	1,483,426.10	1,470,877.26	15,959.86
Civic Center II Project Fund	-0-	17,831,326.37	17,811,815.87	19,510.50
Total - All Funds	\$444,571.94	\$23,374,194.98	\$23,350,195.04	\$468,607.83
Revenue Sharing	76,203.54	-0-	64,283.44	11,920.10
Cash With Fiscal Agent	7,722.50	630,778.50	629,693.00	1,085.50

INVESTMENTS

Fund	Balance 1/1/81	Purchased	Matured	Balance 12/31/81
Redevelopment District Capital	191,000	1,570,000	1,611,000	150,000
Redevelopment District General	34,000	255,100	249,100	40,000
Redevelopment District Bond	-0-	1,309,900	1,028,900	281,000
CBD Revitalization Fund	250,000	1,300,000	1,425,000	125,000
Civic Center II Project	-0-	16,150,000	14,600,000	1,550,000
Hanna-Creighton Fund	22,000	-0-	22,000	-0-
Total - All Funds	497,000	20,585,000	18,936,000	2,146,000

REDEVELOPMENT DISTRICT GENERAL FUND

Detailed Schedule of Receipts and Disbursements

Receipts

Local Property Taxes	82,333.61
Bank Building & Loan Taxes	1,870.22
License Excise Taxes	8,216.29
Rental Income	14,289.94
Sale of Commission Auto	150.00
Interest Income	<u>4,137.64</u>

Sub-total 110,997.70

Investments Sold 249,100.00

Total Receipts -----\$360,097.70

Disbursements

Services Personal	72,695.09
Services Contractural	7,060.36
Supplies	2,822.35
Current Charges	11,823.76
Current Obligations	6,674.29
Properties	<u>2,095.70</u>

Sub-total 103,171.55

Investments Purchased 255,100.00

Total Disbursements-----\$ 358,271.55

REDEVELOPMENT DISTRICT CAPITAL FUND

Detailed Schedule of Receipts and Disbursements

Receipts

Interest Income	25,933.75
Good Faith Deposits - land options	5,287.50
Sale of Land	9,215.00
Reimbursement from Civic Center II Funds	19,697.00
Transfer from Hanna-Creighton Funds	<u>28,321.28</u>

Sub-total	88,454.53
-----------	-----------

Investments Matured	<u>1,611,000.00</u>
---------------------	---------------------

Total Receipts-----\$1,699,454.53

Disbursements

Refunds and Reimbursements	2,000.00
Services Contractural	
Property Management	2,401.14
Repairs to Buildings & Structures	47,630.05
Legal Services	9,599.30
Consultant Services	37,884.64
Engineering Services	1,075.00
Demolition	45,370.85

Properties	
Recording Fees	<u>16.50</u>

Sub-total	145,977.48
-----------	------------

Investments Purchased	<u>1,570,000.00</u>
-----------------------	---------------------

Total Disbursements-----\$1,715,977.48

REDEVELOPMENT DISTRICT BOND FUND

Detailed Schedule of Receipts and Disbursements

Receipts

Local Property Tax	763,521.05
Bank Building and Loan Taxes	17,343.50
License Excise Taxes	76,193.77
Interest Income	70,899.48
Premium on Bonds Sold	<u>577.80</u>

Sub-total	928,535.60
-----------	------------

Investments Sold	<u>1,028,900.00</u>
------------------	---------------------

Total Receipts-----\$1,957,435.60

Disbursements

Payment on Principal	250,000.00
Payment of Interest	380,778.50
Paying Agent Fees	<u>746.88</u>

Sub-total	631,525.38
-----------	------------

Investments Purchased	<u>1,309,900.00</u>
-----------------------	---------------------

Total Disbursements-----\$1,941,425.38

Detailed Schedule of Receipts and Disbursements

HANNA-CREIGHTON FUND

Receipts

Interest Income	\$ 1,280.76
Investment Sold	<u>22,000.00</u>

Total Receipts-----\$23,280.76

Disbursements

Disposition Costs	\$ 357.76
Property Maintenance	<u>247.75</u>

Sub-total 605.51

Transfer of Funds to Redevelopment Capital	<u>30,356.28</u>
--	------------------

Total Disbursement-----\$30,961.79

REVOLVING FUND

Receipts

Reimbursement From General Fund	\$16,919.45
Xerox Charges	<u>2,254.47</u>

Total Receipts-----\$19,173.92

Disbursements

Expenditures to be Reimbursed-----\$20,829.71

CBD REVITALIZATION FUND

Detailed Schedule of Receipts and Disbursements

Receipts

Interest Income	\$ 23,873.06
Reimbursement from Insurance	<u>34,553.04</u>
Sub-total	58,426.10
Investments Sold	<u>1,425,000.00</u>

Total Receipts-----\$1,483,426.10

Disbursements

Acquisition	\$ 42,010.00
Redevelopment Share of Taxes	158.75
Relocation Payments	8,424.00
Demolition	25,000.00
Site Improvements	70,527.77
Legal Services	1,676.89
Insurance	694.00
Property Management	2,099.25
Engineering Services	1,732.81
Disposition Costs	3,444.59
Miscellaneous	14,982.84
Refund of Surplus Taxes to Former Property Owners	126.36
Sub-total	<u>\$ 170,877.26</u>
Investments Purchased	<u>\$1,300,000.00</u>

Total Disbursements-----\$1,470,877.26

CIVIC CENTER II PROJECT

Detailed Schedule of Receipts and Disbursements

Receipts

Proceeds from Sale of Bonds	3,000,000.00
Interest Income	<u>231,326.37</u>
Sub-total	3,231,326.37
Investments Sold	<u>14,600,000.00</u>

Total Receipts-----\$17,831,326.37

Disbursements

Demolition	130,128.72
Consultant Services	
Legal Services	2,192.20
Property Management	1,144.00
Engineering Services	5,098.34
Disposition Costs	1,700.00
Acct., Bond Rating Service,	18,983.28
Attys. Fees to Bond	
Relocation	54,531.00
Acquisition	<u>1,448,038.33</u>
Sub-total	1,661,815.87
Investments Purchased-----	<u>16,150,000.00</u>

Total Disbursements-----\$17,811,815.87

Note: Total interest earned from all funds during 1981 was \$357,451.06

Material
sero. all
repaid for period
Jan. 1, 1977 through
Dec. 31, 1981



The City of Fort Wayne

To: City Council
From: Frank W. Heyman
Date: March 5, 1982

Enclosed find the report from Coopers & Lybrand, Inc. of the Compliance Review of National Serv-All for the period of January 1, 1977 through December 31, 1981.

MADE A MATTER OF RECORD
DATE _____ CHARLES W. HEYMAN, CITY CLERK



Extra copy

The City of Fort Wayne

To: City Council
From: Frank W. Heyman
Date: March 5, 1982

Enclosed find the report from Coopers & Lybrand, Inc. of the Compliance Review of National Serv-All for the period of January 1, 1977 through December 31, 1981.

CITY OF FORT WAYNE, INDIANA

Report on

Compliance Review of Solid Waste Contract

March 5, 1982

March 5, 1982

Mr. Frank Heyman, City Controller
City of Fort Wayne
Fort Wayne, Indiana

Dear Mr. Heyman:

In December 1981, you initiated a compliance review of the compensation paid National Serv-all ("the Contractor") under the terms of the City of Fort Wayne collection, transportation and disposal of solid waste contract for the period January 1, 1977 through December 31, 1981. Our report is provided to assist you in evaluating the reasonableness of the compensation paid the contractor.

The contract provides for compensation consisting of a base amount per year with adjustments for the change in the cost of doing business as measured by fluctuations in the Consumer Price Index, a wage adjustment based on wage increases given City of Fort Wayne Street Department employees, a quarterly adjustment for net units constructed or demolished during the previous quarter and an annexation adjustment based upon additional units determined at the effective date of the annexation. A 1979 amendment to the contract added an adjustment for changes in the contractor's cost of fuel.

We have performed certain agreed upon procedures and our significant findings are classified into four categories which are summarized below:

1. Clerical errors - consist of 217 annexation units being added twice in the 1980 adjustments and errors with respect to mathematical computations in 1980 and 1981. The adjustments required decreased the compensation due the contractor by approximately \$63,000.
2. Procedures required by the contract not followed - consist of the following:
 - There were no procedures to determine if new apartment complexes which did not receive service from the contractor were excluded in the unit figure used in determining compensation.
 - There were no procedures to determine the additional units for new mobile home courts.

Page 2.

Mr. Frank Heyman, City Controller

- . Quarterly adjustments for net additional units required under the contract were not made except for the first quarter of 1981. Adjustments for additional net units were computed only on an annual basis for 1978 through 1980.
- . The 1980 unit adjustment included fifty-five commercial food establishments which did not receive service from the contractor.

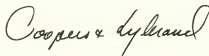
The adjustments required decreased the compensation due the contractor by approximately \$63,000.

3. Payments not made - the City owes the contractor approximately \$19,000 which represents the timing of new semimonthly payments based upon fuel cost adjustments and the 1980 and first quarter of 1981 net unit adjustments.
4. Annexation units billed in error - the adjustments required decreased the compensation due the contractor by approximately \$14,500.

We recalculated the amount due the contractor after giving effect to the significant exceptions as noted in our findings. Of the total contract billings for the five year period of \$10,579,878.04, we found that the contractor's calculation of compensation due was overstated by \$140,259.14. Since the City has held the final payment for 1981 of \$120,764.37 waiting completion of this report and has not made other payments of \$18,577.77, the contractor owes the City the difference of \$917.00.

This summary should be read in connection with our detailed procedures and findings set forth in the report attached to this letter.

Very truly yours,



LWP
LJS

Attachment

Mr. Frank Heyman, City Controller
City of Fort Wayne
Fort Wayne, Indiana

We have applied certain agreed upon procedures to the compensation paid National Serv-all ("the contractor") under the terms of the City of Fort Wayne collection, transportation and disposal of solid waste contract for the period January 1, 1977 through December 31, 1981. Our review of the propriety of the compensation paid under the terms of the contract (defined in paragraphs 11 and 12 of the specifications of the contract - see Exhibit I) and the amendment to the contract dated December 5, 1979 (see Exhibit II) was made solely to assist you in evaluating the reasonableness of the compensation paid and our report is not to be used for any other purpose.

Based upon our reading of the contract, compensation consists of a base amount per year as defined in proposition No. 1 subject to adjustments provided for in the specifications. Under the contract, such adjustments include change in the cost of doing business as measured by fluctuations in the Consumer Price Index, wage adjustment based on wage increases given City of Fort Wayne Street Department employees, additional units based upon annexation and net units constructed or demolished as shown by the official building permit records in the office of the Allen County, Fort Wayne Building Commissioner. The 1979 amendment changed the cost of doing business formula and added an adjustment for changes in the contractor cost of fuel.

The procedures we performed are summarized as follows:

1. We read the contract and the contract amendment.
2. We reviewed the Board of Works' and City Council's minutes with respect to the contract.
3. We reviewed the contract adjustments made by the contractor for propriety and consistency. Specific procedures performed were:
 - a. We compared the wage scale adjustments with the determinations made by the City and agreed to by the contractor. We understand that such determinations in some cases included fringe benefits.
 - b. We compared the Consumer Price Index (CPI) used in calculating the contract adjustments to the CPI published by the U. S. Department of Labor, Bureau of Labor Statistics in the U. S. City category.

- c. We compared the number of units added for each annexation to the number of units documented in the respective annexation fiscal report.
- d. We compared the unit adjustments used in the compensation adjustment calculation for additional single-family residences, duplexes and apartment complexes to the unit adjustment letter prepared by the Allen County, Fort Wayne Building Commissioner's Office. We also compared the unit adjustment letter to the City-County Building Minimum Housing Department monthly report for December which shows year-to-date totals.
- e. We compared the unit adjustments used in the compensation adjustment calculation for additional commercial food establishments to the unit adjustment letter prepared by the Allen County, Fort Wayne Building Commissioner's Office.
- f. We inquired of the contractor and City personnel about the procedures for determining if new commercial food establishments which did not receive service by the contractor were excluded or retained in the unit figure used in determining compensation.
- g. We inquired of the contractor and City personnel about the procedures for determining if new apartment complexes which did not receive service by the contractor were excluded or retained in the unit figure used in determining compensation. We sent requests for positive confirmation to apartment complexes which added seventy units or more (based on a list prepared by the City Department of Community Development and Planning) to determine if these apartments did or did not receive service from the contractor during the contract period.
- h. We compared the unit adjustments used in the compensation adjustment calculation for demolitions to the unit adjustment letters prepared by the Allen County, Fort Wayne Building Commissioner's Office.
- i. We inquired of the contractor and City personnel about the procedures for determining additional units for new mobile home courts.
- j. We reviewed the procedures for computing the fuel cost adjustment for 1980 and 1981. We examined letters issued by the contractor's supplier which stated the price of fuel to the contractor.
- k. We reviewed the contract adjustments for mathematical accuracy and consistency.

4. We compared the payments made to the contractor with the contractor's computation of amounts due.
5. We recalculated the amount due the contractor after giving effect to the significant exceptions as noted in our findings. We compared the recalculated compensation to the contractor's calculation of compensation due. (See Exhibit III).
6. We inquired of City personnel and the contractor if the unit adjustments were based upon occupancy.
7. We obtained a unit adjustment listing based upon certificates of occupancy for single-family residences, new apartments, duplexes and commercial food establishments prepared by the City Department of Community Development and Planning (CD&P). We also obtained a unit adjustment listing of demolitions prepared by CD&P based upon their review of the Building Department records. Based on these unit adjustments, we recalculated the amount due the contractor (based on occupancy) after giving effect to the significant exceptions as noted in our findings.

The above procedures do not include a review of the contractor's billings for special services requested by the City. Such billings, which approximated \$100,000 over the term of the contract, are not included in the recalculation of compensation due the contractor nor are they included in the contractor's calculation of compensation due.

Our significant findings are summarized as follows:

1. The annexation units added to the compensation adjustment calculation were overstated by 217 units in 1980 due to a clerical error. Such units are excluded in the recalculated compensation. This adjustment reduces the compensation due the contractor by approximately \$23,000.
2. The annexation units added for the Northrop Village annexation included 148 units for Stone Pointe Village Apartments, however, Stone Pointe Village Apartments are not located in the Northrop Village annexation area. Such units are excluded in the recalculated compensation. This adjustment reduces the compensation due the contractor by approximately \$11,000.
3. The contractor billed the City \$3,500.63 for collection of solid waste at New Glenwood Park for April and May of 1977. New Glenwood Park was not annexed until February 1979. Per paragraph 12 of the general specifications of the contract, annexations are not to be added until the effective date of the annexation. The contractor contends that he was ordered by the City to provide service, however we have not been provided documentation at this time to support this claim. The contractor and the City are following up on this matter. This billing is excluded in the recalculated compensation and reduces the compensation due the contractor by \$3,500.

4. The contractor informed us that units used in the compensation adjustment calculation in 1980 for new commercial food establishments had not been reduced for establishments which did not receive service from the contractor under the terms of the specifications. The contractor reviewed the listing of commercial food establishments and determined that the correct number of units is four compared to the fifty-nine used in the calculation. The fifty-five units are excluded in the recalculated compensation. This adjustment reduces the compensation due the contractor by approximately \$5,500.
5. The contractor and City personnel informed us that there were no procedures to determine if new apartment complexes which did not receive service by the contractor were excluded or retained in the unit figure used in determining compensation.
6. The results of our confirmations to determine if the significant new apartment complexes did or did not receive service from the contractor during the contract period are summarized as follows:

<u>Confirmation Results</u>	
	<u>Number of Apartment Complexes</u>
Received service by the contractor	5
Did not receive service by the contractor	5
Received service by the contractor, but during the contract period, switched to another firm	1

Accordingly, those apartments which did not receive service by the contractor should not have been included in the unit adjustment. The following is a summary by year of apartment units which should not have been included in the unit adjustment:

	<u>Annual</u>	<u>Cumulative</u>
1977	380	380
1978	129	509
1979	197	706
1980	90	796
1981	57*	853

*Represents apartment complex which transferred its trash service to another firm (effective November 1, 1981). These units were deleted from the recalculated compensation effective November 1, 1981.

The above units are excluded in the recalculated compensation and these adjustments reduce the compensation due the contractor by approximately \$77,000.

7. The contractor and City personnel informed us that there were no procedures to determine additional units for new mobile home courts. The contractor provided us a letter from one mobile home court manager which stated 62 additional pads were built in 1980 of which 5 were occupied in 1980 and 32 in 1981. These units were not included in the contractor's unit compensation adjustment calculation for 1980 and 1981. The units occupied have been included in the recalculated compensation. These adjustments increase the compensation due the contractor by approximately \$2,000.
8. The fuel cost adjustments (1.45% of the semimonthly payments) were made when the cumulative cost of fuel changed \$.05 per gallon based upon letters provided the contractor from the supplier. The contractor informed us that his cumulative cost of fuel has not increased or decreased \$.05 per gallon since the effective date of the last adjustment which was February 1, 1981.

We noted that such adjustments do not comply with the amendment to the contract which, as written, states "a determination is to be made monthly on all changes in prices since the beginning of the prior month, for any such increase or decrease, the sum of 1.45% of the semimonthly payment, by reason of increase or decrease in the cost of fuel for each \$.05 per gallon change, shall be added to the contract compensation." We have been informed by the contractor and City personnel that the intent of the amendment was to allow an adjustment when the cumulative cost of fuel increased by \$.05 per gallon without regard to any monthly limitations. The fuel cost adjustment based upon the cumulative cost of fuel is used in the recalculated compensation.

9. We found errors with respect to mathematical computations in the 1980 and 1981 calculations. These errors were corrected in the recalculated compensation reducing the compensation due the contractor by approximately \$40,000.
10. We found that the quarterly adjustments for net additional units required under the contract were not made except for the first quarter of 1981. Adjustments for additional net units were computed only on an annual basis for 1978 through 1980 since the Building Department letter was issued only on an annual basis. There were no adjustments for net additional units after the first quarter of 1981. Adjustments for additional net units have been spread equally over the four quarters in the recalculated compensation. No consideration has been given to additional net units after the first quarter of 1981 in the recalculated compensation due to insignificance of the number of units. These adjustments increase the compensation due the contractor by approximately \$17,500.

11. In addition to the final contract payment for 1981 withheld by the City, the City owes the contractor the following which are included in the recalculated compensation:

- a. \$22,408 which represents the amount due for the 1980 and first quarter of 1981 net unit adjustments.
- b. \$1,323 which represents the increase in the semi-monthly payment on March 15, 1980 for a fuel cost adjustment. The City started paying the new semi-monthly payment on April 1, 1980.

The contractor owes the City \$5,154 which represents the effect of fuel cost adjustments effective January 15, 1981 and February 1, 1981 which the City started paying January 1, 1981.

12. The recalculated compensation due the contractor after giving effect to the adjustments required by our findings is \$10,439,618.90. (See Exhibit III). The contractor owes the City \$917.00 as computed below:

Compensation due the contractor per contractor's calculation	\$10,579,878.04
Compensation due contractor (Exhibit III)	<u>10,439,618.90</u>
Decrease in compensation	140,259.14
Less:	
Final payment for 1981 withheld by City pending completion of this report	120,764.37
Net payments due the contractor (see finding 11)	<u>18,577.77</u>
Amount due the City	<u>\$ 917.00</u>

13. The contractor and City personnel have informed us that the net unit adjustments are not based upon occupancy but for many years have consistently been based upon building permits issued prior to the start of construction of the respective units. There can be significant time lags between dates permits are issued and dates units are occupied. Based upon occupancy information supplied by CD&P (see procedure number 7), the recalculated compensation due the contractor after giving effect to the adjustments required by our findings would have been \$10,412,101.92, approximately \$27,500 lower than the compensation based on permits issued. This amount is not included in the adjusted compensation in finding number 12 because the contract specifically cites the use of building permits.

In addition to our significant findings, the following items were noted which the City may wish to follow up on:

1. Differences between the Building Department letter and the Minimum Housing Department Report are summarized as follows:

	Per Building Department Letter	Per Minimum Housing Report
<u>Duplex:</u>		
1978	4	2
1980	26	13
<u>Apartments:</u>		
1980	585	533

2. The 1978 Building Department letter included 28 units which were not identified.

Because the procedures on pages 1 through 3 do not constitute an examination made in accordance with generally accepted auditing standards, we do not express an opinion on the compensation paid the contractor for the years 1977 through 1981. This report relates only to the calculation of the compensation due the contractor and the items specified above and does not extend to any financial statements of the City of Fort Wayne or National Serv-all taken as a whole.

Coppers & Lybrand

Fort Wayne, Indiana,
March 5, 1982.

PERTINENT SECTION OF

SOLID WASTE CONTRACT

11. COMPENSATION

City shall pay the Contractor twice monthly. Compensation shall be 1/24 of the total bid amount. For the second and subsequent contract quarters, the number of additional collection units will be used as the basis upon which compensation shall be increased; to which there shall be added a figure equal to the number of collection units including apartments, mobile home courts or commercial establishments constructed or otherwise created, within the limits of the City for the quarter period immediately following the prior quarter for which such computation is made, as shown by the official building permit records in the office of the Allen County-Fort Wayne Building Commissioner. Said figure to be used for compensation shall be adjusted negatively based upon all dwelling units which are demolished and razed. For the computation of dwelling units, two apartment units shall equal one dwelling unit. Should any territory be annexed to City, a figure equal to the actual number of dwelling units therein on the basis of physical count thereof jointly made or caused to be made by Contractor and City, shall be added to the contract of and effective upon the effective date that such annexation is complete and final as prescribed in the applicable statute of the State of Indiana on annexation, and such compensations shall be forthwith increased accordingly. Should any territory be annexed after bid date and prior to starting of contract, such collection units shall be added to the first year's compensation unit figure. Any new apartment complex, mobile home courts, or commercial food establishments which do not receive service by the Contractor under the terms of these specifications, shall not be added to or retained in the unit figure used in determining compensation. Compensation for any services received by City under Propositions No. 2, 3, 4 and 5 set forth herein shall be paid monthly. Unit prices bid in Propositions 2, 3, 4 and 5 shall be adjusted by same formula which is set forth in paragraph twelve (12), "Change in Cost of Doing Business".

12. CHANGE IN COST OF DOING BUSINESS

The compensation payable to the Contractor for the second and subsequent years of the term hereof shall be adjusted upward or downward to reflect changes in the cost of doing business as measured by fluctuations in the Consumer Price Index, published by the U. S. Department of Labor, Bureau of Labor Statistics, for "All Items" in the "U. S. City Average" category. At the start of the second year and every year thereafter, the compensation to the Contractor shall be increased or decreased in a percentage amount equal to 1/4 of the net percentage change in the said Consumer Price Index computed as follows: Beginning with the first month of the second year, the net change shall be the difference between the said Consumer Price

PERTINENT SECTION OF

SOLID WASTE CONTRACT

(Continued)

Index during the month immediately prior to the beginning of the first contract year and the last month of said year, and said percentage change shall be computed annually in like manner for each subsequent year of the contract.

In addition to the above adjustment, the following evaluation will be made.

Ten (10) days after the beginning of the second and each subsequent contract year, a determination shall be made of the then existing status of the wage scale of regular drivers and laborers of the City Street Department. For each 1% of average rate change over or under the rate prevailing at bid time, the Contractor's yearly compensation shall be adjusted up or down by 3/4 of 1% of his total bid, effective at the beginning of each succeeding contract year. The wage rate at the time of bidding, for fully qualified men with over 15 months' experience in the City Street Department of the City of Fort Wayne, Indiana, is \$5.01 per hour for drivers and \$4.74 per hour for laborers.

PERTINENT SECTION OF
SOLID WASTE CONTRACT AMENDMENT

12. CHANGE IN COST OF DOING BUSINESS

The compensation payable to the Contractor for the fourth and subsequent years of the term hereof shall be adjusted upward or downward to reflect the changes in the cost of doing business as measured by fluctuations in the Consumer Price Index, published by the U. S. Department of Labor, Bureau of Labor Statistics, for "All Items" in the "U. S. City Average" category. At the start of the fourth year and every year thereafter, the compensation to the Contractor shall be increased or decreased in a percentage amount equal to .93 of the net percentage change in the said Consumer Price Index computed as follows: Beginning with the first month of the fourth year, the net change shall be the difference between the said Consumer Price Index during the month immediately prior to the beginning of the fourth contract year and the last month of said year, and said percentage change shall be computed annually in like manner for each subsequent year of the contract.

In addition to the above adjustment, the following evaluation will be made.

Ten (10) days after the beginning of the fourth and each subsequent contract year, a determination shall be made of the then existing status of the wage scale of regular drivers and laborers of the City Street Department. For each 1% of average rate change over or under the rate prevailing at bid time, the Contractor's yearly compensation shall be adjusted up or down by 3/4 of 1% of his total bid, effective at the beginning of each succeeding contract year. The wage rate at the time of bidding for fully qualified men with over 15 months' experience in the City Street Department of the City of Fort Wayne, Indiana, is \$5.01 per hour for drivers and \$4.74 per hour for laborers.

In addition to the above adjustments, the following evaluation will be made.

Ten (10) days after the beginning of each calendar month of each contract year, a determination shall be made of the then existing direct fuel costs to the contractor, plus any taxes as the case may be, computed monthly, on all changes in price since the beginning of the prior calendar month, for any such increase or decrease, the sum of 1.45% of the semimonthly payment, by reason of increases or decreases in the cost of fuel for each .05 dollar per gallon change, shall be added to the contract compensation specified in paragraph 11.

Example of computation:

Fuel cost, January 1, 1979 = \$.386
Fuel cost, January 31, 1979 = .436

\$.050 divided by .05 = 1.0

1.0 x .0145 x 78,145 (the semimonthly payment) = \$1,133.10

EXHIBIT III

COMPENSATION DUE CONTRACTOR
(See finding number 12)

Payment Date	1977	1978	1979	1980	1981
January 1	\$ 66,620.35	\$ 75,506.29	\$ 77,669.68	\$ 94,254.30	\$ 114,700.84
January 15	66,620.35	75,506.29	77,669.68	94,254.30	116,364.00
February 1	66,620.35	75,506.29	77,669.68	94,254.30	118,051.28
February 15	66,620.35	75,506.29	78,602.04	94,254.30	118,051.28
March 1	66,620.35	75,506.29	78,602.04	94,254.30	118,051.28
March 15	66,620.35	75,506.29	78,963.98	95,620.98	118,051.28
April 1	66,709.03	75,618.00	79,067.39	95,765.22	118,105.37
April 15	66,709.03	75,618.00	79,067.39	95,765.22	118,105.37
May 1	66,709.03	75,618.00	79,067.39	95,765.22	118,105.37
May 15	66,709.03	75,618.00	79,067.39	95,765.22	118,105.37
June 1	66,709.03	75,618.00	79,067.39	95,765.22	118,105.37
June 15	66,709.03	75,618.00	79,067.39	95,765.22	118,105.37
July 1	66,908.19	75,729.71	79,170.80	95,909.46	118,105.37
July 15	66,908.19	75,729.71	79,170.80	95,909.46	118,105.37
August 1	66,908.19	75,729.71	79,170.80	95,909.46	118,105.37
August 15	66,908.19	75,729.71	79,217.50	95,909.46	118,105.37
September 1	66,908.19	75,729.71	79,217.50	95,909.46	118,105.37
September 15	66,908.19	75,729.71	79,217.50	95,909.46	118,105.37
October 1	66,996.87	75,841.42	79,320.92	96,053.70	118,105.37
October 15	66,996.87	75,841.42	79,320.92	96,053.70	118,105.37
November 1	66,996.87	75,841.42	79,320.92	96,053.70	118,035.30
November 15	66,996.87	75,841.42	79,320.92	96,053.70	118,035.30
December 1	67,213.48	75,841.42	79,320.92	97,446.48	118,035.30
December 15	67,213.48	75,841.42	79,320.92	97,446.48	118,035.30
	<u>\$1,603,839.86</u>	<u>\$1,816,172.52</u>	<u>\$1,894,671.86</u>	<u>\$2,296,048.32</u>	<u>\$2,828,886.34</u>
Total compensation due contractor					<u>\$10,439,618.90</u>

RECALCULATION OF COMPENSATION DUE CONTRACTOR
CALCULATION OF SEMI-MONTHLY PAYMENT

Date	Contract Price- Base Amount of Annual Compensation	Semi-monthly Payment	Adjustment to Base Amount of Compensation	Type of Adjustment	Explanation of Adjustment Types
1977					
Jan. 1	\$1,598,888.33	\$ 66,620.35			Unit - adjustment in the contract price for the providing of collection and disposal of solid waste caused by changes in the total number of single family residences, duplexes, apartments and commercial food establishments resulting from new construction or demolition. Adjustment to be computed quarterly starting the second quarter of 1977. Cost per unit determined based upon proposition No. 5 in the contract. Unit cost is adjusted by same formula as changes in cost of doing business, wages and fuel cost as set forth in paragraph 12 of the contract and the amendment to the contract.
April 1	1,601,016.62	66,709.03	61.00 units x \$34.89	unit	
July 1	1,605,796.55	66,908.19	61.00 units x \$34.89	unit	
Oct. 1	1,607,924.84	66,996.87	76.00 units x \$34.89	annexation	
Dec. 1	1,613,123.45	67,213.48	61.00 units x \$34.89	unit	
1978					
Jan. 1	\$1,615,251.74		61.00 units x \$34.89	unit	Annexation - adjustment in the contract price for providing of collection and disposal of solid waste caused by annexation. Units shall be added to the contract on the effective date the annexation is recognized as prescribed under the laws of the State of Indiana.
	1,812,150.92	\$ 75,506.29	Annual adjustments - wages and cost of doing business (see Exhibit IV)		
April 1	1,814,832.01	75,618.00	68.50 units x \$39.14	unit	
July 1	1,817,513.10	75,729.71	68.50 units x \$39.14	unit	
Oct. 1	1,820,194.19	75,841.42	68.50 units x \$39.14	unit	
1979					
Jan. 1	\$1,822,875.28		68.50 units x \$39.14		Wages - annual adjustment to the contract price to reflect wage increases given City Street Department employees. Per paragraph 12 of contract, annual compensation is to be adjusted by 3/4 of 1% of the average rate change.
	1,864,072.26	\$ 77,669.68	Annual adjustments - (see Exhibit IV)		
Feb. 15	1,886,449.03	78,602.04	559.00 units x \$40.03	annexation	
Mar. 15	1,895,135.54	78,963.98	217.00 units x \$40.03	annexation	
April 1	1,897,617.40	79,067.39	62.00 units x \$40.03	unit	Cost of Doing Business - annual adjustment to the contract price to reflect additional cost caused by economic conditions. Per paragraph 12 of the contract, annual compensation is to be adjusted by 1/4 of 1% of the net change in the Consumer Price Index during the previous year. Effective January 1, 1980, the contract was amended to change the annual adjustment to .93 of 1% of the net change in the Consumer Price Index.
July 1	1,900,099.26	79,170.80	62.00 units x \$40.03	unit	
Aug. 15	1,901,220.10	79,217.50	28.00 units x \$40.03	annexation	
Oct. 1	1,903,701.96	79,320.92	62.00 units x \$40.03	unit	
1980					
Jan. 1	\$1,910,947.39		62.00 units x \$40.03	unit	Fuel Cost Adjustment - adjustment (effective January 1, 1980) in the contract price to reflect additional cost to contractor due to increased fuel cost. Adjustment to be made when the contractor's cumulative cost of fuel increased by \$.05 per gallon. Per the amendment to the contract, the contract price is to be increased by 1.45% for each \$.05 per gallon change.
	2,262,103.08	\$ 94,254.30	119.00 units x \$40.03	annexation	
			Annual adjustments - (see Exhibit IV)		
Mar. 15	2,294,903.57	95,620.98	1.45% x \$2,262,103.08	fuel cost	
April 1	2,298,365.33	95,765.22	72.00 units x \$48.08	unit	Apartment Not Retaining Service - Adjustment in the contract price to reflect a new apartment complex which transferred its collection of solid waste to another firm. Per paragraph 12 of the contract, any new apartment complex which does not retain service shall not be retained in the contract price.
July 1	2,301,827.09	95,909.46	72.00 units x \$48.08	unit	
Oct. 1	2,305,288.85	96,053.70	72.00 units x \$48.08	unit	
Dec. 1	2,338,715.54	97,446.48	1.45% x \$2,305,288.85	fuel cost	
1981					
Jan. 1	\$2,342,227.70		72.00 units x \$48.78	unit	Apartment Not Retaining Service - Adjustment in the contract price to reflect a new apartment complex which transferred its collection of solid waste to another firm. Per paragraph 12 of the contract, any new apartment complex which does not retain service shall not be retained in the contract price.
	2,752,820.21	\$114,700.84	Annual adjustments - (see Exhibit IV)		
Jan. 15	2,792,736.10	116,364.00	1.45% x \$2,752,820.21	fuel cost	
Feb. 1	2,833,230.77	118,051.28	1.45% x \$2,792,736.10	fuel cost	
April 1	2,834,528.77	118,105.37	22.00 units x \$59.00	unit	Apartment Not Retaining Service - Adjustment in the contract price to reflect a new apartment complex which transferred its collection of solid waste to another firm. Per paragraph 12 of the contract, any new apartment complex which does not retain service shall not be retained in the contract price.
Nov. 1	2,832,847.27	118,035.30	(28.50) units x \$59.00	apartment not retaining service	

RECALCULATION OF COMPENSATION DUE CONTRACTOR

CALCULATION OF ANNUAL ADJUSTMENTS

<u>Base Amount of Annual Compensation</u>	<u>Adjustments to Base Amount of Compensation</u>	<u>Type of Adjustment - (see explanation in Exhibit III)</u>
<u>1978</u>		
\$1,615,251.74		
72,686.33	$3/4 \times 6\% = 4.5\% \times \$1,615,251.74$	Wages (1977)
96,915.10	$3/4 \times 8\% = 6\% \times \$1,615,251.74$	Wages (1978)
<u>27,297.75</u>	$1/4 \times 6.77\% = 1.69\% \times \$1,615,251.74$	Cost of doing business
<u>\$1,812,150.92</u>		
<u>1979</u>		
\$1,822,875.28		
<u>41,196.98</u>	No adjustment	Wages
	$1/4 \times 9.03\% = 2.26\% \times \$1,822,875.28$	Cost of doing business
<u>\$1,864,072.26</u>		
<u>1980</u>		
\$1,910,947.39		
114,656.84	$3/4 \times 8\% = 6\% \times \$1,910,947.39$	Wages
<u>236,498.85</u>	$.93 \times 13.30705\% = 12.376\% \times \$1,910,947.39$	Cost of doing business
<u>\$2,262,103.08</u>		
<u>1981</u>		
\$2,342,227.70		
140,533.66	$3/4 \times 8\% = 6\% \times \$2,342,227.70$	Wages
<u>270,058.85</u>	$.93 \times 12.40\% = 11.53\% \times \$2,342,227.70$	Cost of doing business
<u>\$2,752,820.21</u>		

RECALCULATION OF COMPENSATION DUE CONTRACTOR

ADJUSTMENTS TO UNITS

<u>Year</u>	<u>Units Used in Contractor's Calculation</u>	<u>Unit Adjustments</u>	<u>Units Used in Recalculation of Compensation Due</u>	<u>Quarterly Unit Adjustment</u>
1977	434	(190) (1)	244	61
1978	338	(64.5)(1)	273.5	68.5
1979	346.5	(98.5)(1)	248	62
1980	383.5	(45) (1) (55) (2) 5 (3)	288.5	72
1981	(10)	32 (3) (28.5)(4)	22 (28.5)	

- (1) Represents apartment dwelling units which did not receive service by the contractor. For the computation of units, 2 apartment units equals one dwelling unit (see finding number 6).
- (2) Represents commercial food establishments which did not receive service by the contractor (see finding number 4).
- (3) Represents mobile home court units which received service by the contractor (see finding number 7).
- (4) Represents apartment dwelling units which transferred its collection of solid waste to another firm effective November 1, 1981.

THE COUNCIL THEN ADJOURNED.

CERTIFICATE

I hereby certify that I am the duly elected, acting and incumbent City Clerk of the City of Fort Wayne, Indiana and as such the custodian of the records of the Common Council of said City and that the above and foregoing is the true, full and complete record of the proceedings of the Common Council of the City of Fort Wayne, Indiana for its Regular Session, held on Tuesday the 9th day of March, 19 82 that the numbered ordinances and resolutions shown therein were duly adopted by said Common Council on said date and were presented by me to the Mayor of the City of Fort Wayne and were signed and approved or disapproved by said Mayor as and on the dates shown as to each such ordinance and resolution respectively; and that all such records, proceedings, ordinances and resolutions remain on file and record in my office.

WITNESS my hand and the official seal of the City of Fort Wayne, Indiana, this 17th day of March, 19 82.

Charles W. Westerman
Charles W. Westerman
City Clerk